

# HOUSE JOURNAL

---

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

---

## PROCEEDINGS

SIXTY-FIRST DAY — FRIDAY, MAY 1, 2015

The house met at 9:05 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 491).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Cook; Smithee; Workman.

Absent — Clardy; Huberty; Nevárez.

The speaker recognized Representative Faircloth who introduced Aaron Sanders, lead pastor, Coastal Community Church, Galveston, who offered the invocation as follows:

Heavenly Father, we are grateful for the many blessings you have afforded us as Texans and as citizens of the United States of America. We recognize that you have endowed us with certain inalienable rights and that government exists under your sovereign authority. I pray now that you would give these stewards wisdom as they make decisions that will affect the lives of millions of people for generations to come. We also pray for a renewed sense of unity in our culture, that our focus would be on the common good and not the divisive forces that threaten to undermine the foundation of liberty. Heal the brokenness in our land and in our hearts. And I pray, also, for the personal lives and families of these

legislators. May their legacies go beyond the laws they make, shining into the lives they touch. God bless this day, and God bless Texas. I pray these things in the name of Jesus. Amen.

The speaker recognized Representative Burkett who led the house in the pledges of allegiance to the United States and Texas flags.

### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for today because of important business in the district:

Cook on motion of Otto.

Smithee on motion of Otto.

Workman on motion of Paul.

### **REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Schubert and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

(Frank in the chair)

### **HR 2127 - ADOPTED**

**(by Smith, Faircloth, Peña, and Otto)**

Representative Smith moved to suspend all necessary rules to take up and consider at this time **HR 2127**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2127**, Congratulating the Mendoza Debate Society at Lee College in Baytown on its myriad achievements from 2013-2015.

**HR 2127** was adopted.

On motion of Representative Faircloth, the names of all the members of the house were added to **HR 2127** as signers thereof.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Smith who introduced representatives of the Mendoza Debate Society.

### **HR 2340 - ADOPTED**

**(by Israel)**

Representative Israel moved to suspend all necessary rules to take up and consider at this time **HR 2340**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2340**, Congratulating Brandon Anthony Breecher of Pflugerville on achieving the rank of Eagle Scout.

**HR 2340** was adopted.

**HR 2183 - ADOPTED**  
**(by D. Miller)**

Representative D. Miller moved to suspend all necessary rules to take up and consider at this time **HR 2183**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2183**, Congratulating Max Hartmann of Doss on his retirement.

**HR 2183** was adopted.

**HR 2376 - ADOPTED**  
**(by D. Miller)**

Representative D. Miller moved to suspend all necessary rules to take up and consider at this time **HR 2376**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2376**, Honoring Keith Keller for his many years of service to the highway construction industry.

**HR 2376** was adopted.

**MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of important business:

Clardy on motion of S. Davis.

**HR 1956 - ADOPTED**  
**(by Burrows and Frullo)**

Representative Burrows moved to suspend all necessary rules to take up and consider at this time **HR 1956**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1956**, Congratulating the Texas Tech University baseball team on its successful 2014 season.

**HR 1956** was adopted.

**INTRODUCTION OF GUEST**

The chair recognized Representative Burrows who introduced Tim Tadlock, head coach of the Texas Tech University baseball team.

**LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business:

Canales on motion of Alonzo.

The following member was granted leave of absence for the remainder of today because of important business in the district:

Muñoz on motion of Bernal.

The following member was granted leave of absence for the remainder of today because of personal business:

C. Turner on motion of Anchia.

(Flynn in the chair)

**HR 2396 - ADOPTED  
(by Naishtat)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 2396**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2396**, Congratulating McCallum High School in Austin on its selection as the 2015 National Grammy Signature School.

**HR 2396** was adopted.

(Speaker in the chair)

**MAJOR STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

The following bills were laid before the house and read third time:

**HB 13 ON THIRD READING  
(by Pickett, Phillips, Martinez, Simmons, Burkett, et al.)**

**HB 13**, A bill to be entitled An Act relating to categories of and funding allocation for transportation projects by the Texas Department of Transportation and local transportation entities.

**HB 13** was passed by (Record 492): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal;

Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C); Vo.

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; Nevárez; Raney.

### STATEMENTS OF VOTE

When Record No. 492 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 492 was taken, I was temporarily out of the house chamber. I would have voted yes.

Nevárez

### HB 3123 ON THIRD READING (by Price)

**HB 3123**, A bill to be entitled An Act relating to governmental entities subject to the sunset review process.

#### Amendment No. 1

Representative Israel offered the following amendment to **HB 3123**:

Amend **HB 3123** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of that ARTICLE as appropriate:

SECTION \_\_\_\_\_. CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY. Section 451.459, Transportation Code, is repealed.

(Nevárez now present)

Amendment No. 1 was adopted.

#### Amendment No. 2

On behalf of Representative McClendon, Representative Price offered the following amendment to **HB 3123**:

Amend **HB 3123** on third reading by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber subsequent SECTIONS of that ARTICLE as appropriate:

SECTION \_\_\_\_\_. TEXAS JUVENILE JUSTICE BOARD AND TEXAS JUVENILE JUSTICE DEPARTMENT. Section 202.010, Human Resources Code, is amended to read as follows:

Sec. 202.010. SUNSET PROVISION. The Texas Juvenile Justice Board and the Texas Juvenile Justice Department are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board and the department are abolished September 1, 2021 [2017].

Amendment No. 2 was adopted. (Rinaldi recorded voting no.)

### **Amendment No. 3**

Representative Elkins offered the following amendment to **HB 3123**:

Amend **HB 3123** on third reading by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill as appropriate:

#### ARTICLE \_\_\_\_\_. SUNSET REVIEW PROCESS

SECTION \_\_\_\_\_.01. Chapter 325, Government Code, is amended by adding Section 325.0128 to read as follows:

Sec. 325.0128. AMENDING CERTAIN SUNSET LEGISLATION. (a)  
This section applies to a state agency or advisory committee, including:

- (1) the Credit Union Department;
- (2) the Credit Union Commission; and
- (3) the Texas Facilities Commission.

(b) A bill continuing a state agency or advisory committee, including a state agency listed in Subsection (a), may not be amended on second or third reading by either house of the legislature unless one or more of the following contains the subject matter of the amendment:

- (1) the introduced or engrossed version of that bill; or
- (2) a committee amendment or committee substitute offered or adopted for that bill in the house in which the bill is pending.

Amendment No. 3 was withdrawn.

### **Amendment No. 4**

Representatives Flynn, D. Bonnen, Goldman, Simpson, C. Anderson, S. Turner, Krause, Collier, and Price offered the following amendment to **HB 3123**:

Amend **HB 3123** on third reading by striking ARTICLE 1 of the bill and renumbering subsequent ARTICLES of the bill as appropriate.

Amendment No. 4 was adopted.

### **RESOLUTIONS ADOPTED**

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions.

The motion prevailed.

The following resolutions were laid before the house:

**HR 2098** (by Y. Davis), Honoring Warren Seay for his service on the DeSoto Independent School District Board of Trustees.

**HR 2141** (by Y. Davis), Commemorating the 50th anniversary of Davis Apparel Shop in Dallas.

**HR 2274** (by Y. Davis), Honoring the Reverend Dr. Patrick Rucker of Dallas for his service as Pastor of the Day.

The resolutions were adopted.

On motion of Representative Rose, the names of all the members of the house were added to **HR 2098**, **HR 2141**, and **HR 2274** as signers thereof.

(Keffer in the chair)

**HB 3123 - (consideration continued)**

**Amendment No. 5**

Representative Elkins offered the following amendment to **HB 3123**:

Amend **HB 3123** on third reading by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill as appropriate:

ARTICLE \_\_\_\_\_. SUNSET REVIEW PROCESS

SECTION \_\_\_\_\_.01. Chapter 325, Government Code, is amended by adding Section 325.0128 to read as follows:

Sec. 325.0128. REVIEW CERTAIN SUNSET LEGISLATION. (a) The Sunset Commission shall conduct a review of sunset legislation regarding a state agency or advisory committee, including:

- (1) the Credit Union Department;
- (2) the Credit Union Commission; and
- (3) the Texas Facilities Commission.

(b) The review shall study the methods by which legislation regarding whether a state agency shall be continued may be amended on second or third reading by either house of the legislature.

Amendment No. 5 failed of adoption by (Record 493): 62 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Aycock; Blanco; Burkett; Capriglione; Coleman; Collier; Craddick; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farney; Farrar; Flynn; Frullo; Giddings; Gonzales; Guerra; Hernandez; Herrero; Howard; Israel; Kacal; King, K.; King, T.; Koop; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Miller, R.; Minjarez; Moody; Murphy; Naishtat; Nevárez; Paddie; Peña; Phillips; Pickett; Price; Raymond; Reynolds; Riddle; Rodriguez, J.; Rose; Stephenson; Thompson, S.; Turner, S.; Vo; Walle; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Ashby; Bell; Bernal; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Crownover; Cyrier; Darby; Faircloth; Fallon; Farias; Fletcher; Frank; Galindo; Geren; Goldman; Guillen; Harless; Hughes; Isaac; Keough; King, P.; Klick; Krause; Landgraf; Laubenberg; Leach; McClendon;

Metcalfe; Meyer; Miller, D.; Morrison; Murr; Oliveira; Otto; Parker; Paul; Phelan; Raney; Rinaldi; Rodriguez, E.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stickland; Thompson, E.; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Wray.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Alonzo; Dale; Dukes; González; Gutierrez; Huberty; Hunter; Johnson; King, S.; Martinez Fischer; Miles; Sheets; Tinderholt.

### STATEMENTS OF VOTE

When Record No. 493 was taken, I was in the house but away from my desk. I would have voted no.

Dale

When Record No. 493 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 493 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 493 was taken, I was in the house but away from my desk. I would have voted no.

S. King

When Record No. 493 was taken, I was in the house but away from my desk. I would have voted yes.

Miles

When Record No. 493 was taken, I was shown voting yes. I intended to vote no.

R. Miller

**HB 3123**, as amended, was passed by (Record 494): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.;



Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Bell; Dukes; Huberty; Stickland.

### STATEMENTS OF VOTE

When Record No. 494 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 494 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

### HB 20 ON THIRD READING

(by Simmons, Pickett, Burkett, Phillips, Goldman, et al.)

**HB 20**, A bill to be entitled An Act relating to the operations of and transportation planning and expenditures by the Texas Department of Transportation and local transportation entities.

#### Amendment No. 1

Representative Simmons offered the following amendment to **HB 20**:

Amend **HB 20**, on third reading, as follows:

(1) In SECTION 3 of the bill, in added Section 201.9991(e), Transportation Code (page 5, line 27), strike "and".

(2) In SECTION 3 of the bill, in added Section 201.9991(e), Transportation Code (page 6, line 1), between "(8)" and "meet", insert the following:  
are in the state highway system; and

(9)

Amendment No. 1 was adopted.

**HB 20**, as amended, was passed by (Record 495): 135 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren;

Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Tinderholt.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; King, S.; Stickland.

#### **STATEMENT OF VOTE**

When Record No. 495 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

#### **REASONS FOR VOTE**

Second reading Amendment No. 6 mandates ethnic and sex discrimination under the law and is, I believe, a violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. If not for Amendment No. 6, I would have voted for the bill.

Rinaldi

I disagree with the amendment that forces the speaker and lieutenant governor to consider an individual's geographic area in the state, gender, and ethnicity. They should choose the best qualified individual regardless of those. This amendment discourages appointing only the best qualified in lieu of making appointments according to location, gender, and ethnicity.

Tinderholt

#### **GENERAL STATE CALENDAR HOUSE BILLS THIRD READING**

The following bills were laid before the house and read third time:

**HB 26 ON THIRD READING****(by Button, E. Rodriguez, Ashby, Springer, Parker, et al.)**

**HB 26**, A bill to be entitled An Act relating to state economic development measures, including administration of the Texas Enterprise Fund, creation of the Economic Incentive Oversight Board and the governor's university research initiative, abolishment of the Texas emerging technology fund and certain programs administered by the Texas Economic Development Bank, and renaming the Major Events trust fund to the Major Events Reimbursement Program.

**Amendment No. 1**

Representative Button offered the following amendment to **HB 26**:

Amend **HB 26**, on third reading, as follows:

(1) Amend Subsection (a) of Section 481.079, Government Code, as amended on second reading by Amendment No. 6 by Y. Davis, by striking Subdivisions (9) and (10) of that subsection and substituting the following:

(9) of the number of direct jobs each recipient created in this state, the number of positions created that provide health benefits for employees, categorized by region and qualified census tract; and

(10) the typical anticipated or actual duration of the jobs created by each grant recipient.

(2) In renumbered SECTION 1.16 of the bill (SECTION 1.17 of the committee printing), amend Subsection (a-1) as added on second reading by Amendment No. 15 by Villalba, by striking Subdivisions (2) and (3) of that subsection and substituting the following:

(2) the Texas research university fund, subject to Subsection (b) of this section;

(3) the governor's university research initiative fund established under Subchapter H, Chapter 62, Education Code, as added by this Act;

(4) the Texas Enterprise Fund established under Section 481.078, Government Code; and

(5) the comptroller for the purposes of expenses incurred in managing the state's portfolio of equity positions and other investments in connection with awards from the Texas emerging technology fund in accordance with Section 490.104, Government Code, as added by this article.

Amendment No. 1 was adopted.

**HB 26**, as amended, was passed by (Record 496): 136 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel;

Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Simpson.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; Stickland; Thompson, S.

#### STATEMENT OF VOTE

When Record No. 496 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

#### HB 2031 ON THIRD READING

(by Lucio, Keffer, Hunter, D. Miller, and Workman)

**HB 2031**, A bill to be entitled An Act relating to the diversion, treatment, and use of marine seawater and the discharge of treated marine seawater and waste resulting from the desalination of marine seawater; adding provisions subject to a criminal penalty.

**HB 2031** was passed by (Record 497): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson;

Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; King, S.; Stickland.

### STATEMENTS OF VOTE

When Record No. 497 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 497 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

### HB 1051 ON THIRD READING (by Wray and Fallon)

**HB 1051**, A bill to be entitled An Act relating to the creation of a campus of the Texas State Technical College System in Ellis County.

**HB 1051** was passed by (Record 498): 135 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Stickland.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Burrows; Dukes; Huberty; Koop.

### STATEMENT OF VOTE

When Record No. 498 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

### HB 175 ON THIRD READING

(by R. Miller, Sheffield, Cyrier, Zerwas, Farias, et al.)

**HB 175**, A bill to be entitled An Act relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.

**HB 175** was passed by (Record 499): 124 Yeas, 10 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Sheffield; Smith; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Klick; Krause; Laubenberg; Leach; Rinaldi; Shaheen; Simpson; Spitzer; Stickland; Turner, E.S.

Present, not voting — Mr. Speaker; Keffer(C); Phillips.

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; King, S.; Sanford; Sheets; Simmons.

### STATEMENTS OF VOTE

When Record No. 499 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted no.

S. King

When Record No. 499 was taken, I was shown voting no. I intended to vote yes.

Leach

**HB 189 ON THIRD READING**  
**(by S. Thompson, Moody, and Guillen)**

**HB 189**, A bill to be entitled An Act relating to the elimination of the statute of limitations for the offenses of sexual assault and aggravated sexual assault.

**HB 189** was passed by (Record 500): 133 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murr; Naishtat; Nevárez; Oliveira; Paddie; Parker; Paul; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Otto; Rinaldi; Schaefer; Stickland.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; Murphy; Phelan.

**STATEMENTS OF VOTE**

When Record No. 500 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 500 was taken, I was shown voting no. I intended to vote yes.

Otto

When Record No. 500 was taken, I was shown voting yes. I intended to vote no.

Shaheen

**HB 218 ON THIRD READING**  
**(by Márquez, Moody, and González)**

**HB 218**, A bill to be entitled An Act relating to certification requirements for teachers in bilingual education.

**HB 218** was passed by (Record 501): 134 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Springer; Stickland; Thompson, E.; Thompson, S.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wray; Wu; Zedler; Zerwas.

Nays — Schaefer; Spitzer; Stephenson; White, M.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; Tinderholt.

**STATEMENTS OF VOTE**

When Record No. 501 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 501 was taken, I was shown voting no. I intended to vote yes.

M. White



**HB 298 ON THIRD READING****(by Wu, Morrison, Alvarado, K. King, McClendon, et al.)**

**HB 298**, A bill to be entitled An Act relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education.

**HB 298** was passed by (Record 502): 131 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheets; Sheffield; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Hughes; Shaheen; Stickland; Tinderholt; White, J.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Anchia; Dukes; Huberty; Schaefer; Simmons.

**STATEMENTS OF VOTE**

When Record No. 502 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 502 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

When Record No. 502 was taken, my vote failed to register. I would have voted yes.

Schaefer

**HB 158 ON THIRD READING****(by Larson, Keffer, Smith, Guillen, Kacal, et al.)**

**HB 158**, A bill to be entitled An Act relating to the allocation and use of the proceeds from taxes imposed on the sale, storage, or use of sporting goods.

**HB 158** was passed by (Record 503): 138 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty.

**STATEMENT OF VOTE**

When Record No. 503 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

**HB 484 ON THIRD READING****(by Capriglione, Raney, Murr, Howard, Goldman, et al.)**

**HB 484**, A bill to be entitled An Act relating to the eligibility of a person to be a candidate for or holder of a public elective office.

**HB 484** was passed by (Record 504): 137 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover;

Cyrrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenber; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler.

Nays — Simpson.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty; Zerwas.

#### STATEMENT OF VOTE

When Record No. 504 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

#### HB 574 ON THIRD READING (by G. Bonnen and Fallon)

**HB 574**, A bill to be entitled An Act relating to the operation of certain managed care plans with respect to health care providers; amending provisions subject to a criminal penalty.

#### Amendment No. 1

Representatives Zerwas and Frullo offered the following amendment to **HB 574**:

Amend **HB 574** on third reading as follows:

(1) Strike the SECTION of the bill amending Section 1301.069, Insurance Code, as added on second reading by Amendment No. 2 by Zerwas.

(2) Strike the SECTION of the bill adding transition language for amended Section 1301.069, Insurance Code, as added on second reading by Amendment No. 2 by Zerwas.

(3) Renumber SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**HB 574**, as amended, was passed by (Record 505): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Huberty.

### **STATEMENT OF VOTE**

When Record No. 505 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

### **PROVIDING FOR A LOCAL, CONSENT, AND RESOLUTIONS CALENDAR**

Representative S. Thompson moved to set a local, consent, and resolutions calendar for 9 a.m. Tuesday, May 5.

The motion prevailed.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 11:30 a.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Local and Consent Calendars, 11:30 a.m. today, 1W.14, for a formal meeting, to set a calendar.

**HB 684 ON THIRD READING**  
**(by Sheets)**

**HB 684**, A bill to be entitled An Act relating to the authority of a county to adopt a fire code.

**Amendment No. 1**

Representative Murr offered the following amendment to **HB 684**:

Amend **HB 684** on third reading as follows:

(1) In the recital for the SECTION of the bill amending Section 233.062, Local Government Code (page 1, line 11), strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(2) In the SECTION of the bill amending Section 233.062, Local Government Code (page 2, between lines 2-3), insert the following:

(b-2) The commissioners court of a county with a population over 250,000 or a county adjacent to a county with a population over 250,000 may not adopt a fire code that applies to a building or structure used for an agricultural operation, as defined by Section 251.002, Agriculture Code, unless the commissioners court has adopted a fire code under this subchapter before January 1, 2016.

Amendment No. 1 was adopted.

**HB 684**, as amended, was passed by (Record 506): 81 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Bernal; Blanco; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Crownover; Dale; Davis, S.; Davis, Y.; Deshotel; Dutton; Fallon; Farias; Farrar; Frullo; Galindo; Geren; Giddings; Gonzales; Guerra; Hernandez; Herrero; Howard; Hunter; Israel; Johnson; King, K.; King, P.; Koop; Kuempel; Larson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Parker; Peña; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, J.; Romero; Rose; Sheets; Sheffield; Smith; Springer; Thompson, S.; Tinderholt; Villalba; Vo; Walle; Wu; Zerwas.

Nays — Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Craddick; Cyrier; Darby; Elkins; Faircloth; Fletcher; Flynn; Frank; Goldman; González; Guillen; Gutierrez; Harless; Hughes; Kacal; Keough; King, S.; King, T.; Klick; Krause; Landgraf; Laubenberg; Leach; Lozano; Paddie; Paul; Phelan; Phillips; Pickett; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Simmons; Simpson; Spitzer; Stephenson; Stickland; Thompson, E.; Turner, E.S.; VanDeaver; White, J.; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Farney; Huberty; Isaac; Rodriguez, E.; Shaheen; Turner, S.

### STATEMENTS OF VOTE

When Record No. 506 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 506 was taken, I was shown voting yes. I intended to vote no.

K. King

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted yes.

E. Rodriguez

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

When Record No. 506 was taken, I was shown voting yes. I intended to vote no.

Springer

### HB 48 ON THIRD READING

(by McClendon, Leach, Herrero, Moody, Simpson, et al.)

**HB 48**, A bill to be entitled An Act relating to the creation of a commission to review convictions after exoneration and to prevent wrongful convictions.

(Huberty now present)

### HB 48 - REMARKS

REPRESENTATIVE DUTTON: I want to thank Chairwoman McClendon. Some of you may know she was my classmate from high school, and I want to thank her for bringing this bill forward. As some of you know, I had an amendment to this bill, and the amendment would have simply said that while this commission is completing its work, we would not execute anyone. I know that's a little tough for some people, and I wanted to speak to your conscience about that; but as it turned out, I agonized over it all night, and I decided to pull my amendment down for two reasons. One is they said it wasn't germane, which I disagreed with. But more especially, what happened was, I called TDCJ, and I wanted to find out how many people was this state planning to execute between now and the next session. Actually, what I said was September 1, 2015, to August 31, 2017, and I was surprised to learn that there were no scheduled executions. So I was able to wake up this morning and say thank God; that even though my amendment was not germane, that we're still not going to execute anybody while this commission takes a look at why we have wrongful convictions in this state.

I don't know how many have had the opportunity to go to death row. I did. As I said in the committee the other night, I have visited death row. I went, and I looked in every man's eyes on death row. All three floors of them. And one of the things I noticed is that after I came out of there, every time I read in the paper that the state has executed someone, I realize that they execute them in my name. And I don't like that. I don't like somebody being killed in my name. And so in this legislature we authorize the death penalty. And while some of us come here and we think that government programs are terrible and government agencies are terrible, many times we forget that criminal justice is a government agency, and sometimes it needs fixing. I wish we could sunset it. I wish we could sunset criminal justice. I wish we could sunset crime, but that's not what's going to happen.

So I just wanted to say to this body that I hope when this commission comes back with a recommendation, I hope we all take a look at why we have so many people who have been wrongfully convicted. Because what it says to me is our systems have failed. First, we had a police officer who arrested the wrong person; then we had a grand jury who indicted the wrong person; then we had a jury trial where the wrong person was tried. We had a DA who tried the wrong person; then we had a jury that convicted the wrong person; and then we had an appeal where the appellate review indicated that the person who did it was the wrong person; and ultimately the Court of Criminal Appeals convicted the wrong person. That means our systems are broken. And so I hope with this bill passing, that we will begin the process of not only looking with our heads at this, but we use the eyes of our heart to recognize that imposing the death penalty ought to be reserved in Texas for those who are not just legally guilty, but you ought to be factually guilty.

**HB 48** was passed by (Record 507): 134 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wu; Zedler; Zerwas.

Nays — Bell; Craddick; Phillips; Rinaldi; Schofield; Wray.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes.

### **REMARKS ORDERED PRINTED**

Representative Y. Davis moved to print remarks by Representative Dutton.

The motion prevailed.

### **HB 716 ON THIRD READING**

**(by Lozano)**

**HB 716**, A bill to be entitled An Act relating to the certification of certain peace officers to enforce commercial motor vehicle safety standards.

**HB 716** was passed by (Record 508): 129 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Hughes; Isaac; Krause; Rinaldi; Springer; Stickland; White, J.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent — Dukes; Faircloth; Frank; King, S.; McClendon.

### **STATEMENTS OF VOTE**

When Record No. 508 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth



When Record No. 508 was taken, I was shown voting no. I intended to vote yes.

Hughes

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Local and Consent Calendars:

Capriglione on motion of Frank.

Dale on motion of Frank.

Gonzales on motion of Frank.

Isaac on motion of Frank.

### HB 885 ON THIRD READING (by Paddie, et al.)

**HB 885**, A bill to be entitled An Act relating to the meetings of certain county bail bond boards.

**HB 885** was passed by (Record 509): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Coleman; Collier; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Capriglione; Dale; Gonzales; Isaac.

Absent — Dukes.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

The following bills were laid before the house and read third time:

**SB 804 ON THIRD READING  
(K. King - House Sponsor)**

**SB 804**, A bill to be entitled An Act relating to the period of eligibility for support from the universal service plan for certain providers.

**SB 804** was passed by (Record 510): 99 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Coleman; Collier; Craddick; Crownover; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Geren; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keough; King, K.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shaheen; Sheffield; Smith; Spitzer; Springer; Stephenson; Thompson, S.; Turner, S.; VanDeaver; Vo; Walle; White, J.; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Cyrier; Elkins; Fallon; Flynn; Frank; Goldman; King, P.; Krause; Laubenberg; Leach; Metcalf; Meyer; Murr; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Sheets; Simmons; Simpson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Capriglione; Dale; Gonzales; Isaac.

Absent — Button; Dukes; Naishtat.

**STATEMENTS OF VOTE**

When Record No. 510 was taken, I was in the house but away from my desk. I would have voted yes.

Naishtat

When Record No. 510 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 510 was taken, I was shown voting yes. I intended to vote no.

Shaheen

**SB 641 ON THIRD READING**  
**(Raney - House Sponsor)**

**SB 641**, A bill to be entitled An Act relating to debit card or stored value card surcharges; providing a civil penalty.

**SB 641** was passed by (Record 511): 113 Yeas, 22 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Burkett; Burns; Button; Coleman; Collier; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Galindo; Geren; Giddings; González; Guerra; Guillen; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheets; Sheffield; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Burrows; Faircloth; Frank; Goldman; Gutierrez; Hughes; Keough; Krause; Leach; Rinaldi; Schaefer; Schofield; Shaheen; Simmons; Simpson; Stickland; Turner, E.S.; White, J.; Zedler.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Capriglione; Dale; Gonzales; Isaac.

Absent — Dukes; King, S.

**STATEMENTS OF VOTE**

When Record No. 511 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 511 was taken, I was shown voting yes. I intended to vote no.

M. White

**SB 94 ON THIRD READING**  
**(Guerra - House Sponsor)**

**SB 94**, A bill to be entitled An Act relating to certain fees charged for the adjudication of pharmacy benefit claims.

**SB 94** was passed by (Record 512): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Coleman; Collier; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Capriglione; Dale; Gonzales; Isaac.

Absent — Dukes.

**SB 1191 ON THIRD READING**  
**(Crownover - House Sponsor)**

**SB 1191**, A bill to be entitled An Act relating to the amount and allocation of the annual constitutional appropriation to certain agencies and institutions of higher education.

**SB 1191** was passed by (Record 513): 114 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Button; Coleman; Collier; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Galindo; Geren; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria;

Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheets; Sheffield; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, S.; VanDeaver; Vo; Walle; White, J.; Wray; Wu.

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Fallon; Frank; Goldman; Klick; Krause; Leach; Rinaldi; Sanford; Shaheen; Simmons; Simpson; Stickland; Turner, E.S.; Villalba; White, M.; Zedler.

Present, not voting — Mr. Speaker; Keffer(C).

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Capriglione; Dale; Gonzales; Isaac.

Absent — Dukes; Herrero; Schaefer; Zerwas.

#### STATEMENTS OF VOTE

When Record No. 513 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 513 was taken, my vote failed to register. I would have voted no.

Schaefer

#### SB 709 ON THIRD READING

**(Morrison, D. Bonnen, Deshotel, Harless, Smith, et al. - House Sponsors)**

**SB 709**, A bill to be entitled An Act relating to procedures for certain environmental permit applications.

#### **Amendment No. 1**

Representatives S. Turner, Allen, Laubenberg, Giddings, Howard, Leach, Riddle, Sanford, Bell, T. King, and E. S. Turner offered the following amendment to **SB 709**:

Amend **SB 709** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter F, Chapter 5, Water Code, is amended by adding Section 5.240 to read as follows:

Sec. 5.240. NOTICE OF DRAFT PERMIT. Notwithstanding any other law, not later than the 30th day before the date the commission issues a draft permit for any license, permit, or authorization under the authority of the commission,

the executive director shall provide written notice to the state senator and state representative of the area in which the facility that is the subject of the permit is located.

(Capriglione, Dale, and Isaac now present)

Representative Morrison moved to postpone consideration of **SB 709** until 12:15 p.m. today.

The motion prevailed.

(Speaker in the chair)

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Herrero requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 12:15 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Criminal Jurisprudence, 12:15 p.m. today, 3W.9, for a formal meeting, to consider pending business.

### **POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

#### **CSHB 2493 ON SECOND READING**

**(by Parker, Capriglione, et al.)**

**CSHB 2493**, A bill to be entitled An Act relating to the self-directed and semi-independent status of the State Securities Board; authorizing fees.

**CSHB 2493** was read second time on April 21, postponed until April 28, and was again postponed until 10 a.m. today.

Representative Parker moved to postpone consideration of **CSHB 2493** until 10 a.m. Wednesday, May 6.

The motion prevailed.

#### **SB 860 ON SECOND READING**

**(Oliveira and Villalba - House Sponsors)**

**SB 860**, A bill to be entitled An Act relating to corporations and fundamental business transactions.

**SB 860** was considered in lieu of **CSHB 2142**.

**SB 860** was read second time.

The speaker postponed consideration of **SB 860** until 3 p.m. today.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**HB 721 ON SECOND READING  
(by Farias)**

**HB 721**, A bill to be entitled An Act relating to the hunting or fishing license fee waiver for certain disabled veterans.

**HB 721** was passed to engrossment.

(Gonzales now present)

**CSHB 2171 ON SECOND READING  
(by Sheffield, Zerwas, Zedler, R. Miller, Collier, et al.)**

**CSHB 2171**, A bill to be entitled An Act relating to information maintained in the immunization registry with the consent of an individual after the individual becomes an adult.

**CSHB 2171 - REMARKS**

REPRESENTATIVE ZEDLER: After the student gets to be 18, if they haven't gotten the response back from the individual, then what it boils down to is that data is maintained separately from the rest of the ImmTrac data in a separate database, is that not correct?

REPRESENTATIVE SHEFFIELD: That is correct, sir, a separate database.

ZEDLER: And that database is not accessible to anybody other than the individual that it's on as well as, obviously, the couple of administrators that administer the database. Is that correct?

SHEFFIELD: That is correct. The individual and, we believe, maybe four to five DSHS administrative personnel.

**REMARKS ORDERED PRINTED**

Representative Zedler moved to print remarks between Representative Sheffield and Representative Zedler.

The motion prevailed.

Representative Sheffield moved to postpone consideration of **CSHB 2171** until 12:15 p.m. today.

The motion prevailed.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business in the district:

Spitzer on motion of R. Anderson.

**CSHB 930 ON SECOND READING****(by D. Miller)**

**CSHB 930**, A bill to be entitled An Act relating to water well drillers and pump installers; authorizing fees.

**CSHB 930 - POINT OF ORDER**

Representative Schaefer raised a point of order against further consideration of **CSHB 930** under Rule 8, Section 1(d) of the House Rules on the grounds that the bill caption is inaccurate.

The point of order was withdrawn.

Representative D. Miller moved to postpone consideration of **CSHB 930** until 12:25 p.m. today.

The motion prevailed.

**CSHB 2647 ON SECOND READING****(by Ashby, Larson, Paddie, Clardy, and Lucio)**

**CSHB 2647**, A bill to be entitled An Act relating to a limitation on the authority to curtail groundwater production from wells used for power generation or mining.

(Márquez in the chair)

**Amendment No. 1**

Representative Ashby offered the following amendment to **CSHB 2647**:

Amend **CSHB 2647** (house committee report) on page 2, line 3, between the underlined period and "After" by inserting "The petition must include evidence that the owner or operator is engaging in good faith efforts to identify practicable, readily available alternative sources of water with comparable quality.".

Amendment No. 1 was adopted.

**CSHB 2647**, as amended, was passed to engrossment.

**HB 1155 ON SECOND READING****(by Alvarado, Gonzales, Button, E. Rodriguez, Johnson, et al.)**

**HB 1155**, A bill to be entitled An Act relating to the creation of the Recruit Texas Program to facilitate the relocation to or expansion in this state of employers offering complex or high-skilled employment opportunities.

**Amendment No. 1**

Representative Alvarado offered the following amendment to **HB 1155**:

Amend **HB 1155** (house committee printing) as follows:

(1) On page 2, strike line 6-12 and substitute the following:

Sec. 316.003. GRANTS. (a) Under the program, the commission may award grants to a public junior college or public technical institute to assist the college or institute to develop:

1) customize training programs specific business needs



- 2) fast track curriculum development;
- 3) instructor certification necessary to provide workforce training;
- 4) funding for training equipment that leads to certification and employment; and
- 5) other related support services to employers who commit to establishing a place of business in this state.

Amendment No. 1 was adopted.

#### **Amendment No. 2**

Representative Alvarado offered the following amendment to **HB 1155**:

Amend **HB 1155** (house committee printing) as follows:

- 1) On page 2, line 21 insert the following after "sources":  
, including the JET program.

Amendment No. 2 was adopted.

**HB 1155**, as amended, was passed to engrossment. (Bell, Bohac, Fallon, Fletcher, Laubenberg, and Rinaldi recorded voting no.)

#### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Criminal Jurisprudence:

Herrero on motion of Burkett.

Hunter on motion of Burkett.

Leach on motion of Burkett.

Moody on motion of Burkett.

Shaheen on motion of Burkett.

Simpson on motion of Burkett.

#### **HB 1018 ON SECOND READING**

(by Geren)

**HB 1018**, A bill to be entitled An Act relating to the prohibition of certain alcoholic beverages; creating an offense.

Representative Geren moved to postpone consideration of **HB 1018** until 9 a.m. Wednesday, May 6.

The motion prevailed.

#### **HB 1706 ON SECOND READING**

(by VanDeaver, Crownover, et al.)

**HB 1706**, A bill to be entitled An Act relating to reducing paperwork and duplicate reports required of a school district.

**HB 1706** was passed to engrossment.

**HB 2049 ON SECOND READING**  
**(by Darby, Longoria, Paul, and Leach)**

**HB 2049**, A bill to be entitled An Act relating to indemnification and duties of engineers and architects under certain governmental contracts.

**HB 2049** was passed to engrossment. (Blanco recorded voting no.)

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Smith requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, at 1 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Licensing and Administrative Procedures, 1 p.m. today, 1W.14, for a formal meeting, to consider pending business.

**HB 691 ON SECOND READING**  
**(by Walle)**

**HB 691**, A bill to be entitled An Act relating to the regulation of automotive wrecking and salvage yards in certain counties; increasing the civil penalty.

**HB 691** failed to pass to engrossment by (Record 514): 54 Yeas, 68 Nays, 2 Present, not voting. (The vote was reconsidered later today, and **HB 691**, as amended, was passed to engrossment.)

Yeas — Allen; Alonzo; Anchia; Bernal; Blanco; Bohac; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Fletcher; Galindo; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Israel; Johnson; Keffer; Longoria; Lucio; Márquez(C); Martinez Fischer; McClendon; Miles; Miller, R.; Minjarez; Murphy; Naishtat; Nevárez; Oliveira; Otto; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Smith; Turner, S.; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Craddick; Crownover; Cyrier; Dale; Darby; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Huberty; Hughes; Isaac; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Morrison; Murr; Parker; Paul; Peña; Phelan; Price; Rinaldi; Sanford; Schaefer; Schubert; Sheets; Simmons; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Wray; Zerwas.

Present, not voting — Mr. Speaker; Sheffield.

Absent, Excused — Canales; Clardy; Cook; Muñoz; Smithee; Spitzer; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Herrero; Hunter; Leach; Moody; Shaheen; Simpson.

Absent — Alvarado; Dukes; Elkins; Farney; Kacal; King, T.; Martinez; Miller, D.; Paddie; Phillips; Raney; Zedler.

### STATEMENTS OF VOTE

When Record No. 514 was taken, I was excused to attend a committee meeting. I would have voted no.

Leach

When Record No. 514 was taken, I was shown voting yes. I intended to vote no.

Smith

When Record No. 514 was taken, my vote failed to register. I would have voted no.

Zedler

### CSHB 1643 ON SECOND READING (by Riddle)

**CSHB 1643**, A bill to be entitled An Act relating to abatement of public nuisances on undeveloped land in the unincorporated area of certain counties; amending provisions subject to a criminal penalty.

#### Amendment No. 1

Representative Riddle offered the following amendment to **CSHB 1643**:

Amend **CSHB 1643** (house committee printing) as follows:

(1) On page 1, line 11, strike "not located in a municipality" and substitute "located in a municipality or in an unincorporated area at least 5,000 feet outside the boundaries of a home-rule municipality".

(2) On page 3, line 27, between "more" and the underlined period, insert "and only to an area in a municipality in the county or in an unincorporated area in the county that is at least 5,000 feet outside the boundaries of a home-rule municipality".

Amendment No. 1 was adopted.

**CSHB 1643**, as amended, was passed to engrossment.

### CSHB 2541 ON SECOND READING (by Zerwas and Guillen)

**CSHB 2541**, A bill to be entitled An Act relating to health benefit plan coverage of certain treatments for enrollees diagnosed with a terminal illness; authorizing administrative and civil penalties.

**CSHB 2541 - POINT OF ORDER**

Representative Martinez Fischer raised a point of order against further consideration of **CSHB 2541** under Rule 4, Section 32(c) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

**CSHB 2541** was passed to engrossment.

**HB 691 - VOTE RECONSIDERED**

Representative Huberty moved to reconsider the vote by which **HB 691** failed to pass to engrossment.

The motion to reconsider prevailed.

**HB 691 ON SECOND READING  
(by Walle)**

The chair laid before the house, on its second reading and passage to engrossment,

**HB 691**, A bill to be entitled An Act relating to the regulation of automotive wrecking and salvage yards in certain counties; increasing the civil penalty.

**HB 691** was read second time earlier today and failed to pass to engrossment by Record No. 514.

**Amendment No. 1**

Representative Walle offered the following amendment to **HB 691**:

Amend **HB 691** (house committee report) on page 1, line 10, by striking "\$5,000" and substituting "\$2,500".

Amendment No. 1 was adopted.

**HB 691**, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

(Moody now present)

**HB 1762 ON SECOND READING  
(by Otto, Zerwas, R. Miller, and Geren)**

**HB 1762**, A bill to be entitled An Act relating to the creation of a health care advocacy program for veterans.

**HB 1762** was passed to engrossment.

**HB 1862 ON SECOND READING  
(by Kuempel)**

**HB 1862**, A bill to be entitled An Act relating to notice of hospital and emergency medical services liens.

**HB 1862** was passed to engrossment.

**HB 1900 ON SECOND READING**  
**(by E. Rodriguez, Kacal, Cyrier, and Moody)**

**HB 1900**, A bill to be entitled An Act relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land.

**Amendment No. 1**

Representative E. Rodriguez offered the following amendment to **HB 1900**:

Amend **HB 1900** (house committee printing) on page 4, between lines 10 and 11, by inserting the following new subsection, appropriately lettered, and relettering subsections of added Section 23.5215, Tax Code, and cross-references to those subsections accordingly:

( ) The comptroller in developing guidelines under this section may consider the following factors:

(1) the financial investment of a producer in an agricultural use of a tract of land;

(2) the degree of active management of a producer in the agricultural use of a tract of land;

(3) the percentage of a tract of land used by a producer for agricultural uses; and

(4) any other factor the comptroller considers appropriate.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative E. Rodriguez offered the following amendment to **HB 1900**:

Amend **HB 1900** (house committee printing) as follows:

(1) Strike the recital to SECTION 1 of the bill (page 1, lines 5-7) and substitute "Sections 23.51(1) and (2), Tax Code, are amended to read as follows:".

(2) On page 2, lines 25-26, strike "The term also includes the use of land for a nonprofit community garden.".

(3) Strike page 2, line 27, through page 3, line 3.

(4) Strike added Section 23.5215(c), Tax Code (page 3, line 27, through page 4, line 7) and reletter other subsections of that section accordingly.

(5) On page 4, line 10, strike "and nonprofit community gardens".

Amendment No. 2 was adopted.

**HB 1900**, as amended, was passed to engrossment. (Laubenberg recorded voting no.)

**HB 2358 ON SECOND READING**  
**(by Lucio and R. Anderson)**

**HB 2358**, A bill to be entitled An Act relating to the exemption from certain registration and licensing requirements and taxes for certain businesses and employees who enter this state in response to a disaster or emergency.

**Amendment No. 1**

Representative Lucio offered the following amendment to **HB 2358**:

Amend **HB 2358** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 112 to read as follows:

CHAPTER 112. FACILITATING BUSINESS RAPID RESPONSE TO STATE  
DECLARED DISASTERS ACT

Sec. 112.001. SHORT TITLE. This chapter may be cited as the Facilitating Business Rapid Response to State Declared Disasters Act.

Sec. 112.002. LEGISLATIVE FINDINGS. The legislature finds that:

(1) during times of storm, flood, fire, earthquake, hurricane, or other disaster or emergency, many Texas businesses bring in resources and personnel from other states on a temporary basis to expedite the often enormous and overwhelming tasks of cleaning up, restoring, and repairing damaged buildings, equipment, and property, and deploying and building new replacement facilities in the state;

(2) accomplishing those tasks may necessitate out-of-state businesses, including out-of-state affiliates of Texas businesses, bringing into Texas resources, property, and personnel that previously had no connection to Texas to perform business activities in Texas, including repairing, renovating, installing, and building, for extended periods of time;

(3) during those periods of time, out-of-state businesses and employees performing business activities in Texas on a temporary basis solely for the purpose of helping the state recover from a disaster or emergency should not be burdened by any requirements that the out-of-state businesses or employees pay taxes as a result of performing those activities; and

(4) to ensure that out-of-state businesses may focus on quickly responding to the needs of Texas and its citizens during a disaster or emergency, it is appropriate for the legislature to provide that those businesses and their employees are not subject to certain state and local registration and licensing requirements and taxes for performing business activities before, during, and after the disaster or emergency to repair and restore devastating damage to critical property and infrastructure in the state.

Sec. 112.003. DEFINITIONS. In this chapter:

(1) "Affiliate" means a member of a combined group as that term is described by Section 171.1014, Tax Code.

(2) "Critical infrastructure" means equipment and property that is owned or used by a telecommunications provider or cable operator or for communications networks, electric generation, electric transmission and distribution systems, natural gas and natural gas liquids gathering, processing, and storage, transmission and distribution systems, and water pipelines and related support facilities, equipment, and property that serve multiple persons, including buildings, offices, structures, lines, poles, and pipes.

(3) "Declared state disaster or emergency" means a disaster or emergency event that occurs in this state and:

(A) in response to which the governor issues an executive order or proclamation declaring a state of disaster or a state of emergency; or

(B) that the president of the United States declares a major disaster or emergency.

(4) "Disaster- or emergency-related work" means repairing, renovating, installing, building, rendering services, or performing other business activities relating to the repair or replacement of critical infrastructure that has been damaged, impaired, or destroyed by a declared state disaster or emergency.

(5) "Disaster response period" means:

(A) the period that:

(i) begins on the 10th day before the date of the earliest event establishing a declared state disaster or emergency by the issuance of an executive order or proclamation by the governor or a declaration of the president of the United States; and

(ii) ends on the earlier of the 120th day after the start date or the 60th day after the ending date of the disaster or emergency period established by the executive order or proclamation or declaration, or on a later date as determined by an executive order or proclamation by the governor; or

(B) the period that, with respect to an out-of-state business entity described by this paragraph:

(i) begins on the date that the out-of-state business entity enters this state in good faith under a mutual assistance agreement and in anticipation of a state disaster or emergency, regardless of whether a state disaster or emergency is actually declared; and

(ii) ends on the earlier of the date that the work is concluded or the seventh day after the out-of-state business entity enters this state.

(6) "In-state business entity" means a domestic entity or foreign entity that is authorized to transact business in this state immediately before a disaster response period.

(7) "Mutual assistance agreement" means an agreement to which one or more business entities are parties and under which a public utility, municipally owned utility, or joint agency owning, operating, or owning and operating critical infrastructure used for electric generation, transmission, or distribution in this state may request that an out-of-state business entity perform work in this state in anticipation of a state disaster or emergency.

(8) "Out-of-state business entity" means a foreign entity that enters this state at the request of an in-state business entity under a mutual assistance agreement or is an affiliate of an in-state business entity and:

(A) that:

(i) except with respect to the performance of disaster- or emergency-related work:

(a) has no physical presence in this state and is not authorized to transact business in this state immediately before a disaster response period; and

(b) is not registered with the secretary of state to transact business in this state, does not file a tax report with this state or a political subdivision of this state, and does not have a nexus with this state for the purpose of taxation during the tax year immediately preceding the disaster response period; and

(ii) enters this state at the request of an in-state business entity, the state, or a political subdivision of this state to perform disaster- or emergency-related work in this state during the disaster response period; or

(B) that performs work in this state under a mutual assistance agreement.

(9) "Out-of-state employee" means an employee who enters this state to perform disaster- or emergency-related work during a disaster response period. The term does not include a security guard or other employee whose primary function is to provide security services or an employee whose primary function is to install or repair heating or cooling equipment.

Sec. 112.004. EXEMPTION OF OUT-OF-STATE BUSINESS ENTITY FROM CERTAIN OBLIGATIONS DURING DISASTER RESPONSE PERIOD. Notwithstanding any other law and except as provided by Section 112.006, an out-of-state business entity whose transaction of business in this state is limited to the performance of disaster- or emergency-related work during a disaster response period is not required to:

(1) register with the secretary of state;

(2) file a tax report with or pay taxes or fees to this state or a political subdivision of this state;

(3) pay an ad valorem tax or use tax on equipment that is brought into the state by the entity, used only by the entity to perform disaster- or emergency-related work during the disaster response period, and removed from the state by the entity following the disaster response period;

(4) comply with state or local business licensing or registration requirements; or

(5) comply with state or local occupational licensing requirements or related fees.

Sec. 112.005. EXEMPTION OF OUT-OF-STATE EMPLOYEE FROM CERTAIN OBLIGATIONS DURING DISASTER RESPONSE PERIOD. Notwithstanding any other law and except as provided by Section 112.006, an out-of-state employee whose only employment in this state is for the performance of disaster- or emergency-related work during a disaster response period is not required to:

(1) file a tax report with or pay taxes or fees to this state or a political subdivision of this state; or

(2) comply with state or local occupational licensing requirements or related fees, if the employee is in substantial compliance with applicable occupational licensing requirements in the employee's state of residence or principal employment.



Sec. 112.006. TRANSACTION TAXES AND FEES. An out-of-state business entity whose transaction of business in this state is limited to the performance of disaster- or emergency-related work during a disaster response period or an out-of-state employee whose only employment in this state is for the performance of disaster- or emergency-related work during a disaster response period is subject to a transaction tax or fee, including a motor fuels tax, sales or use tax, hotel occupancy tax, and the tax imposed on the rental of a motor vehicle, that is imposed in this state, unless the entity or employee is otherwise exempt from the tax or fee.

Sec. 112.007. NOTIFICATION PROCEDURES. (a) If requested by the secretary of state, an out-of-state business entity shall provide to the secretary of state a statement that the entity came to this state for the purpose of performing disaster- or emergency-related work during a disaster response period and that includes:

- (1) the entity's name;
- (2) the entity's jurisdiction of formation;
- (3) the address of the principal office of the entity;
- (4) the entity's federal tax identification number;
- (5) the date that the entity entered the state; and
- (6) contact information for the entity.

(b) If requested by the secretary of state, an in-state business entity shall provide to the secretary of state, along with the in-state business entity's contact information, the information listed in Subsection (a) for any affiliate of the in-state business entity that entered the state as an out-of-state business entity.

(c) The secretary of state shall keep records of and make available to the public any statements or information provided to the secretary of state under this section.

Sec. 112.008. OBLIGATIONS OF OUT-OF-STATE BUSINESS ENTITIES AND EMPLOYEES AFTER DISASTER RESPONSE PERIOD. An out-of-state business entity or out-of-state employee who remains in this state after a disaster response period is not entitled to any exemptions from obligations provided by this chapter.

Sec. 112.009. REGULATIONS. The secretary of state shall adopt regulations, including developing any necessary forms or processes, to implement this chapter.

SECTION 2. (a) Subchapter B, Chapter 151, Tax Code, is amended by adding Section 151.0241 to read as follows:

Sec. 151.0241. PERSONS PERFORMING DISASTER- OR EMERGENCY-RELATED WORK. (a) In this section, "disaster- or emergency-related work," "disaster response period," and "out-of-state business entity" have the meanings assigned by Section 112.003, Business & Commerce Code.

(b) An out-of-state business entity is not engaged in business in this state for purposes of Sections 151.107 and 151.403 or any other provision of this chapter applicable to a person engaged in business in this state if the entity's physical presence in this state is solely from the entity's performance of disaster- or emergency-related work during a disaster response period.

(b) Section 151.0241, Tax Code, as added by this section, does not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Amendment No. 1 was adopted.

**HB 2358**, as amended, was passed to engrossment.

**CSHB 1915 ON SECOND READING**  
**(by Herrero and Hunter)**

**CSHB 1915**, A bill to be entitled An Act relating to the allocation of state hotel occupancy tax revenue to certain barrier island coastal municipalities.

Representative S. Davis moved to postpone consideration of **CSHB 1915** until the end of today's calendar.

The motion prevailed.

**CSHB 27 ON SECOND READING**  
**(by Button and Johnson)**

**CSHB 27**, A bill to be entitled An Act relating to state economic development measures, including administration of the Texas Enterprise Fund, the abolishment of the Texas emerging technology fund, and the disposition of balances from the Texas emerging technology fund.

Representative Button moved to postpone consideration of **CSHB 27** until 9 a.m. Thursday, May 7.

The motion prevailed.

**CSHB 28 ON SECOND READING**  
**(by Button and Nevárez)**

**CSHB 28**, A bill to be entitled An Act relating to an audit by the state auditor of certain programs and funds providing economic development incentives to entities and other persons.

Representative Button moved to postpone consideration of **CSHB 28** until 9 a.m. Thursday, May 7.

The motion prevailed.

**CSHB 1927 ON SECOND READING****(by G. Bonnen, Faircloth, Laubenberg, Fallon, et al.)**

**CSHB 1927**, A bill to be entitled An Act relating to the application to vote early by mail in more than one election.

**Amendment No. 1**

Representative R. Miller offered the following amendment to **CSHB 1927**:

Amend **CSHB 1927** as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 84, Election Code, is amended by adding Section 84.038 to read as follows:

Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION.  
The cancellation of an application for a ballot to be voted by mail under Section 84.032(c), (d), or (e) is effective for a single ballot only and does not cancel the application with respect to a subsequent election, including a subsequent election to which the same application applies under Section 84.001(e) or 86.0015(b).

(2) On page 1, line 15, between "election" and "[~~it~~]", insert ", including any ensuing runoff".

(3) On page 1, strike lines 19-20 and substitute the following:

(A) the end of:

(i) the calendar year in which the application was submitted, if the application was submitted in an even-numbered year; or

(ii) the subsequent even-numbered calendar year, if the application was submitted in an odd-numbered year; or

Amendment No. 1 was adopted.

**CSHB 1927**, as amended, was passed to engrossment.

**CSHB 1066 ON SECOND READING****(by Goldman)**

**CSHB 1066**, A bill to be entitled An Act relating to the regulation of certain motor vehicle auctions.

Representative Goldman moved to postpone consideration of **CSHB 1066** until 9 a.m. Friday, May 8.

The motion prevailed.

**CSHB 942 ON SECOND READING****(by Kacal, Morrison, Flynn, Keffer, T. King, et al.)**

**CSHB 942**, A bill to be entitled An Act relating to the storage of certain hazardous chemicals; transferring enforcement of certain reporting requirements, including the imposition of criminal, civil, and administrative penalties, from the Department of State Health Services to the Texas Commission on Environmental Quality; amending provisions subject to a criminal penalty; reenacting a criminal offense.

**CSHB 942** was passed to engrossment.

**HB 1936 ON SECOND READING****(by Oliveira, Flynn, C. Anderson, Guerra, Walle, et al.)**

**HB 1936**, A bill to be entitled An Act relating to notice by a property owner to a mortgage servicer that the owner intends to enter into a contract with a property tax lender.

**HB 1936** was passed to engrossment. (Laubenberg and Rinaldi recorded voting no.)

(Leach now present)

**CSHB 743 ON SECOND READING****(by Huberty, Isaac, et al.)**

**CSHB 743**, A bill to be entitled An Act relating to the essential knowledge and skills of the required public school curriculum and to certain state-adopted or state-developed assessment instruments for public school students.

**CSHB 743** was passed to engrossment.

**CSHB 3060 ON SECOND READING****(by Anchia)**

**CSHB 3060**, A bill to be entitled An Act relating to functions of a municipal building and standards commission panel.

**CSHB 3060** was passed to engrossment. (Rinaldi recorded voting no.)

**CSHB 2870 ON SECOND READING****(by Alonzo)**

**CSHB 2870**, A bill to be entitled An Act relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.

Representative Alonzo moved to postpone consideration of **CSHB 2870** until 10 a.m. Wednesday, May 6.

The motion prevailed.

**HB 3005 ON SECOND READING****(by Laubenberg)**

**HB 3005**, A bill to be entitled An Act relating to the deadlines for certain processes and procedures involving an election.

Representative Laubenberg moved to postpone consideration of **HB 3005** until 10 a.m. Monday, May 4.

The motion prevailed.

**CSHB 3511 ON SECOND READING****(by S. Davis)**

**CSHB 3511**, A bill to be entitled An Act relating to the contents of financial statements that are electronically filed by certain persons; adding a provision subject to criminal penalties.

**CSHB 3511** was passed to engrossment.

**CSHB 3342 ON SECOND READING**  
**(by Kuempel)**

**CSHB 3342**, A bill to be entitled An Act relating to interstate compacts and cooperative agreements relating to state purchasing.

**CSHB 3342** was passed to engrossment.

(Shaheen now present)

**LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Licensing and Administrative Procedures:

Geren on motion of Harless.

Goldman on motion of Harless.

Gutierrez on motion of Harless.

Kuempel on motion of Harless.

D. Miller on motion of Harless.

Smith on motion of Harless.

**CSHB 3523 ON SECOND READING**  
**(by Raymond and Klick)**

**CSHB 3523**, A bill to be entitled An Act relating to improving the delivery and quality of Medicaid acute care services and long-term care services and supports.

**CSHB 3523** was passed to engrossment.

(Hunter and Simpson now present)

**CSHB 2267 ON SECOND READING**  
**(by S. Davis)**

**CSHB 2267**, A bill to be entitled An Act relating to the requirement to obtain a license to practice as an anesthesiologist assistant; providing an administrative penalty; authorizing fees.

(Goldman now present)

**Amendment No. 1**

Representative Klick offered the following amendment to **CSHB 2267**:

Amend **CSHB 2267** (house committee printing) as follows:

(1) On page 4, line 9, strike "and".

(2) On page 4, line 10, between "(5)" and "meet" insert "submit proof of successful completion and certification of an advanced cardiac life support program; and  
(6)".

(Smith now present)

Amendment No. 1 was adopted.

(D. Miller now present)

### **CSHB 2267 - POINT OF ORDER**

Representative Rinaldi raised a point of order against further consideration of **CSHB 2267** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative S. Davis moved to postpone consideration of **CSHB 2267** until 2 p.m. today.

The motion prevailed.

### **COMMITTEES GRANTED PERMISSION TO MEET**

Representative Guillen requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 1:30 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 1:30 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Culture, Recreation, and Tourism, 1:30 p.m. today, 1W.14, for a formal meeting, to consider pending business.

Human Services, 1:30 p.m. today, 1W.14, for a formal meeting, to consider pending business.

### **HB 2474 ON SECOND READING**

**(by Sheffield, Zerwas, R. Miller, Blanco, Simmons, et al.)**

**HB 2474**, A bill to be entitled An Act relating to requirements for and the transparency of epidemiological reports and immunization exemption information and reports.

Representative K. King moved to postpone consideration of **HB 2474** until the end of today's calendar.

The motion prevailed.

(Kuempel now present)

**HB 300 ON SECOND READING****(by Gonzales, Capriglione, Koop, and Guillen)**

**HB 300**, A bill to be entitled An Act relating to the allocation to the Parks and Wildlife Department of the proceeds from taxes imposed on the sale, storage, or use of sporting goods.

Representative Gonzales moved to postpone consideration of **HB 300** until 10 a.m. Monday, May 4.

The motion prevailed.

**HB 478 ON SECOND READING****(by Dutton, Deshotel, and Guillen)**

**HB 478**, A bill to be entitled An Act relating to the restoration of certain rights to a criminal defendant.

**HB 478** was passed to engrossment.

**CSHB 2207 ON SECOND READING****(by Keffer, Anchia, P. King, Clardy, and Longoria)**

**CSHB 2207**, A bill to be entitled An Act relating to the foreclosure sale of property subject to an oil or gas lease.

**CSHB 2207** was passed to engrossment.

(Geren now present)

**HB 499 ON SECOND READING****(by Guillen)**

**HB 499**, A bill to be entitled An Act relating to the public transportation advisory committee.

**Amendment No. 1**

Representative Israel offered the following amendment to **HB 499**:

Amend **HB 499** (house committee printing) as follows:

(1) On page 1, line 4, strike "Section 455.004(c), Transportation Code, is" and substitute "Sections 455.004(b) and (c), Transportation Code, are".

(2) On page 1, between lines 5 and 6, insert the following:

(b) The members of the committee shall be appointed by the governor, the lieutenant governor, and the speaker of the house of representatives, who shall each appoint:

(1) one member who represents a diverse cross-section of public transportation providers and may be employed by a transit provider or organization representing transit providers;

(2) one member who represents a diverse cross-section of transportation users and may not be employed by a transit provider or organization representing transit providers; and

(3) one member who represents the general public and who may be on the staff of a metropolitan planning organization or rural transportation planning organization but may not be employed by a transit provider or organization representing transit providers.

(3) In SECTION 2 of the bill, add the following appropriately designated subsections and redesignate subsequent subsections of the bill accordingly:

( ) The changes in law made by this Act to Section 455.004(b), Transportation Code, apply only to a member of the public transportation advisory committee with a term beginning on or after the effective date of this Act. A member of the public transportation advisory committee with a term beginning before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

( ) Notwithstanding the changes in law made by this Act, a member of the public transportation advisory committee with a term beginning before the effective date of this Act may be reappointed to the committee under Section 455.004, Transportation Code.

Amendment No. 1 was adopted.

**HB 499**, as amended, was passed to engrossment.

#### **HB 499 - STATEMENT OF LEGISLATIVE INTENT**

**HB 499** does not impact the appointment status of the members that currently serve on the Public Transportation Advisory Committee. Current Public Transportation Advisory Committee members may continue to serve at the pleasure of the governor, lieutenant governor, and the speaker of the house.

Guillen

#### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Culture, Recreation, and Tourism:

Smith on motion of Geren.

#### **HB 1094 ON SECOND READING**

**(by Geren, Kacal, Tinderholt, Martinez, et al.)**

**HB 1094**, A bill to be entitled An Act relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

#### **Amendment No. 1**

Representative P. King offered the following amendment to **HB 1094**:

Amend **HB 1094** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 615.022, Government Code, is amended to read as follows:



Sec. 615.022. PAYMENT TO SURVIVORS. (a) If there is an eligible surviving spouse, the state shall pay \$500,000 [~~\$250,000~~] to the eligible surviving spouse.

(b) If there is no eligible surviving spouse, the state shall pay \$500,000 [~~\$250,000~~] in equal shares to surviving children.

(c) If there is no eligible surviving spouse or child, the state shall pay \$500,000 [~~\$250,000~~] in equal shares to surviving parents.

SECTION \_\_\_\_\_. Sections 615.023(a) and (b), Government Code, are amended to read as follows:

(a) The state shall pay to the duly appointed or qualified guardian or other legal representative of an eligible surviving minor child:

- (1) \$400 [~~\$200~~] each month, if there is one surviving child;
- (2) \$600 [~~\$300~~] each month, if there are two surviving children; or
- (3) \$800 [~~\$400~~] each month, if there are three or more surviving children.

(b) A child's entitlement to assistance payable under this section ends on the last day of the month that includes the child's 18th birthday. At that time, payments to any other surviving minor children shall be adjusted, as necessary, to conform to the amounts payable under Subsection (a).

SECTION \_\_\_\_\_. The changes in law made by this Act to Sections 615.022 and 615.023, Government Code, apply in relation to a payment of assistance made to survivors of certain public servants on or after the effective date of this Act regardless of the date the death of the public servant occurs.

Amendment No. 1 was adopted.

**HB 1094**, as amended, was passed to engrossment.

(Speaker in the chair)

**CSHB 565 ON SECOND READING**  
**(by Burkett, Flynn, Sheets, Button, et al.)**

**CSHB 565**, A bill to be entitled An Act relating to powers of private toll project entities.

**CSHB 565** was passed to engrossment.

**CSHB 973 ON SECOND READING**  
**(by Hernandez and Coleman)**

**CSHB 973**, A bill to be entitled An Act relating to the compensation and per diem compensation of emergency services commissioners in certain counties.

**CSHB 973** was passed to engrossment. (Laubenberg and Rinaldi recorded voting no.)

**CSHB 1535 ON SECOND READING**  
**(by Frullo, Huberty, Phelan, Deshotel, Otto, et al.)**

**CSHB 1535**, A bill to be entitled An Act relating to rates of and certificates of convenience and necessity for certain non-ERCOT electric utilities; authorizing a surcharge.

**Amendment No. 1**

Representative Frullo offered the following amendment to **CSHB 1535**:

Amend **CSHB 1535** (house committee report) as follows:

- (1) On page 1, line 18, strike "or" and substitute "and".
- (2) On page 2, line 10, strike "other".
- (3) On page 2, lines 12 through 14, strike ", including all attendant impacts on the utility's cost of service as determined by the commission".
- (4) On page 2, line 22, strike "applicable load growth" and substitute "offsetting revenue".
- (5) On page 2, line 24, through page 3, line 1, strike "The regulatory authority is only required to allow the adjustment if the facility is in service before the date new rates begin to be billed to the customers of the utility, regardless of whether the investment is less than 10 percent of the utility's rate base before the date of the adjustment." and substitute "The regulatory authority is required to allow the adjustment only if the facility is in service before the effective date of new rates. The adjustment may be made regardless of whether the investment is less than 10 percent of the utility's rate base before the date of the adjustment.".
- (6) On page 3, strike lines 2 through 23, substitute the following new subsection, appropriately lettered, and reletter subsections of Section 36.112, Utilities Code, and cross-references to those subsections, accordingly:  
( ) This section expires September 1, 2023.
- (7) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:  
SECTION \_\_\_\_\_. Subchapter D, Chapter 36, Utilities Code, is amended by adding Section 36.157 to read as follows:  
Sec. 36.157. RATE CASE REQUIREMENT FOR CERTAIN NON-ERCOT UTILITIES. (a) This section applies only to an electric utility that operates solely outside of ERCOT.  
(b) The commission shall require an electric utility to file a rate filing package under this subchapter to initiate a comprehensive base rate proceeding on or before the fourth anniversary of the date of the final order in the electric utility's most recent comprehensive base rate proceeding or if, before that anniversary, the electric utility earns materially more than the utility's authorized rate of return on investment, on a weather-normalized basis, in the utility's two most recent consecutive commission earnings monitoring reports.  
(c) The electric utility must file the rate filing package not later than the 120th day after the date the commission notifies the utility of the requirement described by Subsection (b). The 120-day period may be extended in the manner provided by Section 36.153(b).  
(d) The commission may extend the time period described by Subsection (b) and set a new deadline if the commission determines that a comprehensive base rate case would not result in materially different rates. The commission shall give interested parties a reasonable opportunity to present materials and argument before making a determination under this subsection.

(e) The commission shall adopt rules implementing this section, including appropriate notice and scheduling requirements.

(f) This section does not limit the authority of a regulatory authority under this subchapter.

(g) This section expires September 1, 2023.

SECTION \_\_\_\_. Subchapter E, Chapter 36, Utilities Code, is amended by adding Section 36.211 to read as follows:

Sec. 36.211. RELATION BACK OF RATES FOR CERTAIN NON-ERCOT UTILITIES. (a) This section applies only to an electric utility that operates solely outside of ERCOT.

(b) If requested by an electric utility in the utility's statement of intent initiating a rate proceeding under Subchapter C, notwithstanding Section 36.109(a), or in a rate proceeding under Subchapter D, the final rate set in the proceeding, whether a rate increase or rate decrease, shall be made effective for consumption on and after the 155th day after the date the statement of intent or rate filing package, as applicable, is filed.

(c) The regulatory authority shall:

(1) require the electric utility to refund to customers money collected in excess of the rate finally ordered on or after the 155th day after the date the statement of intent or rate filing package is filed; or

(2) authorize the electric utility to surcharge bills to recover the amount by which the money collected on or after the 155th day after the date the statement of intent or rate filing package is filed is less than the money that would have been collected under the rate finally ordered.

(d) The regulatory authority may require refunds or surcharges of amounts determined under Subsection (b) over a period not to exceed 18 months, along with appropriate carrying costs. The regulatory authority shall make any adjustments necessary to prevent over-recovery of amounts reflected in riders in effect for the electric utility during the pendency of the rate proceeding.

(e) A utility may not assess more than one surcharge authorized by Subsection (c)(2) at the same time.

(f) This section expires September 1, 2023.

Amendment No. 1 was adopted.

### **CSHB 1535 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE HUBERTY: Chairman Frullo, let me ask you about Section 36.112(e) and (f). These sections refer to known and measurable adjustments. What is a known and measurable adjustment?

REPRESENTATIVE FRULLO: When a utility files a rate case, the case is based on a historic test year. Sometimes there may be an event—like an expense, a cost reduction, or a capital investment—that the utility knows will occur after the close of the test year. If it's known and measurable, the utility is authorized by rule to adjust the test year to include that investment. Likewise, intervenors can propose known and measurable changes for known reduction.

HUBERTY: So what does Subsection (e) do?

FRULLO: Section 36.112(e) clarifies that the general post-test year adjustment in 36.112(b) through (d) does not preclude known and measurable changes as they exist under current law.

HUBERTY: So what does (f) do?

FRULLO: Subsection (f) allows a specific known and measurable change for gas plants. Current rule only allows a known and measurable change for very large capital investments—those that make up 10 percent of a utility's rate base. Subsection (f) removes the 10 percent rule for gas plants, so utilities can start recovering for smaller gas plants as soon as the plant goes into service.

HUBERTY: So other than this change for gas plants, is it the intent of this bill to make any change to how known and measurable changes work today?

FRULLO: No. It was the explicit discussion of the parties that the only change to known and measurable adjustments is what's in Subsection (f).

(Kuempel in the chair)

#### **REMARKS ORDERED PRINTED**

Representative Huberty moved to print remarks between Representative Frullo and Representative Huberty.

The motion prevailed.

REPRESENTATIVE P. KING: Chairman Frullo, I represent constituents only inside of ERCOT. Does anything in this bill impact ERCOT transmission and distribution companies?

FRULLO: No. Every section is limited to non-ERCOT utilities.

P. KING: Could this be used as precedent to impact ERCOT utilities in the future?

FRULLO: No. This bill makes specific tweaks to help non-ERCOTs reduce regulatory lag. To reach an agreement with the industrials, the non-ERCOT utilities were willing to come in for rate cases every four years and if over-earning, with certain limitations. The non-ERCOTs are building so much that they expect to be coming in for rate cases at least every four years for the foreseeable future. But that is not something that should impact in any way any future look at alternative ratemaking mechanisms for ERCOTs or non-ERCOTs. We see this as a bridge between now and when we can adopt alternative ratemaking mechanisms for ERCOTs and non-ERCOTs alike. A bill that has already passed both chambers this session will require a study over the interim that the industrials and the ERCOTs and non-ERCOTs agreed to. It will look at alternative ratemaking mechanisms in other states and require the PUC to make recommendations before next session about ways to streamline ratemaking in Texas while protecting consumers. This bill should not be viewed as preempting the results of that study in any way. We are tweaking the existing ratemaking mechanism here, not adopting alternative ratemaking mechanisms.

**REMARKS ORDERED PRINTED**

Representative P. King moved to print remarks between Representative Frullo and Representative P. King.

The motion prevailed.

**CSHB 1535**, as amended, was passed to engrossment.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Dutton requested permission for the Committee on Juvenile Justice and Family Issues to meet while the house is in session, at 2 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Juvenile Justice and Family Issues, 2 p.m. today, 1W.14, for a formal meeting, to consider pending business.

**CSHB 2311 ON SECOND READING**

**(by Kacal and Guillen)**

**CSHB 2311**, A bill to be entitled An Act relating to the failure to handle certain animals in accordance with rules of the Texas Animal Health Commission; amending provisions subject to a criminal penalty.

Representative Metcalf moved to postpone consideration of **CSHB 2311** until 9 a.m. Monday, May 4.

The motion prevailed.

**HB 1860 ON SECOND READING**

**(by Hunter)**

**HB 1860**, A bill to be entitled An Act relating to the creation of a grant program to provide money for security at certain major events; authorizing fees.

**HB 1860** was passed to engrossment. (Rinaldi recorded voting no.)

**LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Culture, Recreation, and Tourism:

Frullo on motion of Lozano.

Guillen on motion of Lozano.

Murr on motion of Lozano.

The following member was granted leave of absence for the remainder of today to attend a meeting of the Committee on Culture, Recreation, and Tourism:

Larson on motion of Lozano.

**HB 274 ON SECOND READING**  
**(by Miles, Schaefer, and Guillen)**

**HB 274**, A bill to be entitled An Act relating to the enforcement of municipal rules, ordinances, or police regulations prohibiting illegal dumping; increasing a penalty.

**HB 274** was passed to engrossment. (Rinaldi recorded voting no.)

**HB 2612 ON SECOND READING**  
**(by Pickett, Leach, et al.)**

**HB 2612**, A bill to be entitled An Act relating to a report to the legislature regarding the elimination of toll roads.

**Amendment No. 1**

Representative Pickett offered the following amendment to **HB 2612**:

Amend **HB 2612** (house committee printing) as follows:

- (1) On page 1, line 6, strike "the" and substitute "each".
- (2) On page 1, line 7, between "the" and "house", insert "senate and".

(Speaker in the chair)

(Herrero now present)

Amendment No. 1 was adopted.

**HB 2612**, as amended, was passed to engrossment.

**HB 1062 ON SECOND READING**  
**(by Lucio)**

**HB 1062**, A bill to be entitled An Act relating to authorizing a fee for county records technology and infrastructure costs in certain counties.

**HB 1062** was passed to engrossment.

**CSHB 256 ON SECOND READING**  
**(by Howard, Burkett, Márquez, Galindo, and Deshotel)**

**CSHB 256**, A bill to be entitled An Act relating to use of compensatory education allotment funding to provide assistance to students at risk of dropping out of school who are pregnant or who are parents.

**Amendment No. 1**

Representative G. Bonnen offered the following amendment to **CSHB 256**:

Amend **CSHB 256** (house committee printing) on page 1 by striking lines 6 and 7 and substituting the following:

SECTION 1. Section 42.152, Education Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (c-3) to read as follows:

(b) Except as provided by Subsection (b-1), for [For] purposes of this section, the number of educationally disadvantaged students is determined:

(1) by averaging the best six months' numbers of students eligible for enrollment in the national school lunch program of free or reduced-price lunches for the preceding school year; or

(2) in the manner provided by commissioner rule~~[-if no campus in the district participated in the national school lunch program of free or reduced price lunches during the preceding school year].~~

(b-1) A student receiving a full-time virtual education through the state virtual school network is not included in determining the number of educationally disadvantaged students under Subsection (b).

Amendment No. 1 was adopted.

**CSHB 256**, as amended, was passed to engrossment. (C. Anderson and Rinaldi recorded voting no.)

**CSHB 63 ON SECOND READING**  
**(by González, Farrar, J. White, and Blanco)**

**CSHB 63**, A bill to be entitled An Act relating to state collaboration with federally recognized Indian tribes.

**CSHB 63** was passed to engrossment. (Button, Fallon, and Rinaldi recorded voting no.)

**LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for the remainder of today because of important business in the district:

Longoria on motion of Galindo.

Lucio on motion of Galindo.

**CSHB 102 ON SECOND READING**  
**(by Fletcher, R. Anderson, Burkett, Y. Davis, and Leach)**

**CSHB 102**, A bill to be entitled An Act relating to the creation of the offense of cargo theft.

Representative Fletcher moved to postpone consideration of **CSHB 102** until 8 a.m. Monday, May 4.

The motion prevailed.

**CSHB 121 ON SECOND READING**  
**(by Fletcher, Canales, Bell, Pickett, and Flynn)**

**CSHB 121**, A bill to be entitled An Act relating to an alternative means of payment of certain past due criminal fines and court costs.

**CSHB 121** was passed to engrossment. (J. White recorded voting no.)

**CSHB 94 ON SECOND READING**  
**(by González, Leach, and Romero)**

**CSHB 94**, A bill to be entitled An Act relating to a database of employers penalized for failure to pay wages or convicted of certain offenses involving wage theft.

**CSHB 94** was passed to engrossment. (C. Anderson, Button, and Laubenberg recorded voting no.)

**HB 771 ON SECOND READING**  
**(by Deshotel)**

**HB 771**, A bill to be entitled An Act relating to funding for the Texas Academy of Leadership in the Humanities.

**HB 771** was passed to engrossment.

**HB 120 ON SECOND READING**  
**(by Flynn)**

**HB 120**, A bill to be entitled An Act relating to the purchase of food and beverages by the Texas Division of Emergency Management for certain division personnel.

**HB 120** was passed to engrossment.

**HB 184 ON SECOND READING**  
**(by Dale, Gonzales, and Farney)**

**HB 184**, A bill to be entitled An Act relating to the allocation of costs and attorney's fees incurred by a Court of Inquiry.

**Amendment No. 1**

Representative Dale offered the following amendment to **HB 184**:

Amend **HB 184** (house committee printing) on page 1 as follows:

- (1) On line 11, between "an" and "employee", insert "officer or".
- (2) On line 21, between "an" and "employee", insert "officer or".
- (3) On line 24, before "employee", insert "officer or".

Amendment No. 1 was adopted.

**HB 184**, as amended, was passed to engrossment.

**HB 2521 ON SECOND READING**  
**(by Coleman, Cyrier, Schubert, Morrison, and Cook)**

**HB 2521**, A bill to be entitled An Act relating to transferring from the state to a county the revenue derived from oil and gas leases of land owned by the county to be used by the county for road maintenance purposes.

**HB 2521** was passed to engrossment.

**HB 3230 ON SECOND READING**  
**(by J. Rodriguez)**

**HB 3230**, A bill to be entitled An Act relating to the determination of eligible costs and expenses for purposes of the franchise tax credit for the rehabilitation of historic structures.

**HB 3230** was passed to engrossment.



**HB 787 ON SECOND READING****(by R. Miller)**

**HB 787**, A bill to be entitled An Act relating to the Texas Military Preparedness Commission.

(Guillen now present)

**HB 787** was passed to engrossment.

**CSHB 1123 ON SECOND READING****(by Paddie, S. Thompson, Meyer, Dale, Metcalf, et al.)**

**CSHB 1123**, A bill to be entitled An Act relating to increasing the punishment for the offense of possession or promotion of child pornography; changing the eligibility for parole.

**CSHB 1123** was passed to engrossment.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 2:10 p.m. today, in 3N.3, to set a calendar.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 2:10 p.m. today, 3N.3, for a formal meeting, to set a calendar.

**HB 1545 ON SECOND READING****(by Naishtat)**

**HB 1545**, A bill to be entitled An Act relating to the creation of the State Cemetery preservation trust fund.

Representative Naishtat moved to postpone consideration of **HB 1545** until 9 a.m. Thursday, May 7.

The motion prevailed.

**HB 2732 ON SECOND READING****(by Metcalf and Meyer)**

**HB 2732**, A bill to be entitled An Act relating to recovery of covered unemployment compensation debt through participation in the federal Treasury Offset Program.

**HB 2732** was passed to engrossment.

(Frullo now present)

**HB 1484 ON SECOND READING****(by Blanco)**

**HB 1484**, A bill to be entitled An Act relating to regional coordinators within the veteran entrepreneur program.

Representative Blanco moved to postpone consideration of **HB 1484** until 10 a.m. Thursday, May 7.

The motion prevailed.

**HB 2589 ON SECOND READING**  
**(by Phelan)**

**HB 2589**, A bill to be entitled An Act relating to the prosecution of and punishment for assaulting a disabled individual; increasing a criminal penalty.

**LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Alonzo on motion of Otto.

S. Davis on motion of Otto.

Geren on motion of Otto.

Harless on motion of Otto.

Huberty on motion of Otto.

Hunter on motion of Otto.

K. King on motion of Otto.

Price on motion of Otto.

Riddle on motion of Otto.

E. Rodriguez on motion of Otto.

The following members were granted leaves of absence for the remainder of today to attend a meeting of the Committee on Calendars:

Giddings on motion of Otto.

Johnson on motion of Otto.

(Smith now present)

**HB 2589 - (consideration continued)**

**HB 2589** was passed to engrossment.

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**SB 709 ON THIRD READING**

**(Morrison, D. Bonnen, Deshotel, Harless, Smith, et al. - House Sponsors)**

**SB 709**, A bill to be entitled An Act relating to procedures for certain environmental permit applications.

**SB 709** was read third time earlier today, an amendment was offered, and **SB 709** was postponed until this time. Amendment No. 1 was pending at the time of postponement.

Amendment No. 1 was withdrawn.

**Amendment No. 2**

Representative S. Turner offered the following amendment to **SB 709**:

Amend **SB 709** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter M, Chapter 5, Water Code, is amended by adding Section 5.5553 to read as follows:

Sec. 5.5553. NOTICE OF DRAFT PERMIT. (a) This section applies only to a permit application that is eligible to be referred for a contested case hearing under Section 5.556 or 5.557.

(b) Notwithstanding any other law, not later than the 30th day before the date the commission issues a draft permit in connection with a permit application, the executive director shall provide written notice to the state senator and state representative of the area in which the facility that is the subject of the permit is located.

Amendment No. 2 was adopted.

(Murr now present)

**SB 709**, as amended, was passed by (Record 515): 83 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Craddick; Crownover; Dale; Darby; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Goldman; Gonzales; Guillen; Herrero; Hughes; Isaac; Kacal; Keffer; Keough; King, P.; King, T.; Koop; Krause; Kuempel; Landgraf; Laubenberg; Leach; Lozano; Martinez; McClendon; Meyer; Miller, D.; Miller, R.; Minjarez; Morrison; Murphy; Oliveira; Otto; Paddie; Parker; Paul; Phelan; Phillips; Raney; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Bell; Bernal; Blanco; Coleman; Collier; Cyrier; Davis, Y.; Dutton; Farias; Farrar; González; Guerra; Hernandez; Howard; Israel; Márquez; Martinez Fischer; Metcalf; Miles; Moody; Murr; Naishtat; Nevárez; Pickett; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Sanford; Thompson, S.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Clardy; Cook; Longoria; Lucio; Muñoz; Smithee; Spitzer; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Alonzo; Davis, S.; Geren; Giddings; Gutierrez; Harless; Huberty; Hunter; Johnson; King, K.; Larson; Price; Riddle; Rodriguez, E.

Absent — Alvarado; Dukes; King, S.; Klick; Peña.

**STATEMENTS OF VOTE**

When Record No. 515 was taken, I was in the house but away from my desk. I would have voted no.

Alvarado

When Record No. 515 was taken, I was excused to attend a committee meeting. I would have voted yes.

Geren

When Record No. 515 was taken, I was excused to attend a committee meeting. I would have voted no.

Gutierrez

When Record No. 515 was taken, I was excused to attend a committee meeting. I would have voted yes.

Harless

When Record No. 515 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

When Record No. 515 was taken, I was excused to attend a committee meeting. I would have voted no.

E. Rodriguez

(Gutierrez now present)

**CSHB 930 ON SECOND READING**  
**(by D. Miller)**

**CSHB 930**, A bill to be entitled An Act relating to water well drillers and pump installers; authorizing fees.

**CSHB 930** was read second time earlier today and was postponed until this time.

**CSHB 930 - POINT OF ORDER**

Representative Schaefer raised a point of order against further consideration of **CSHB 930** under Rule 8, Section 1(d) of the House Rules on the grounds that the bill caption is inaccurate.

The speaker overruled the point of order and submitted the following statement:

Representative Schaefer raised a point of order against further consideration of **CSHB 930** under Rule 8, Section 1(d) of the House Rules on the grounds that the bill would require a license or other type of authorization for apprentice drillers, but the bill does not reflect this in the caption. The point of order is respectfully overruled.

Under Rule 8, Section 1(d) of the House Rules, "A house bill that would create a requirement that an individual or entity obtain a license, certificate, registration, permit, or other authorization before engaging in a particular occupation or profession or that would expand an existing requirement to additional individuals or entities must include a short statement at the end of its title or caption indicating the general effect of the bill on the occupation or profession, such as "requiring an occupational license" or "expanding the applicability of an occupational license (or permit or certificate)." **CSHB 930** changes the fee submitted by an applicant for a license as a water wet driller and changes the frequency with which the Department of Licensing and Regulation must offer examinations for a water well driller license or a water well pump installer. Separately, the bill provides that the Texas Commission on Licensing and Regulation "by rule shall establish an apprentice driller program" and an "apprentice pump installer program." The bill further provides that the commission "may not require a person to hold a license or license specialty endorsement as an apprentice driller or apprentice pump installer. . .before June 1, 2016." No other discussion of a license, certificate, registration, permit, or other authorization is contained within the four corners of the document. Representative Schaefer concedes that the provisions impacting the existing licenses for water well drillers and pump installers do not create a licensing requirement or expand an existing requirement to additional individuals or entities. However, he argues that the creation of the apprentice programs is creation of a license, certificate, registration, permit, or other authorizations. He asserts that adoption of rules to implement these programs will necessarily involve requiring program participants to obtain a license or other authorization. Additionally, he asserts that the prohibition against requiring a license or license specialty endorsement for these apprenticeships before June 1, 2016, evidences an intent to require a license after June 1, 2016, such that the bill should be subject to the requirements of Rule 8, Section 1(d) of the House Rules.

The bill, within the four corners of the document, does not require that any individual or entity obtain a license or any other credential in relation to the apprentice programs. And the expiration on June 1, 2016, of the prohibition against any licensing requirement does not necessarily mean that a licensing or other authorization requirement will ever be created. The chair therefore determines that Rule 8, Section 1(d)'s caption requirement does not apply to **CSHB 930**.

**CSHB 930** was passed to engrossment by (Record 516): 112 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, Y.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Isaac; Israel; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Laubenberg; Leach; Lozano; Márquez; Martinez; Martinez Fischer; McClendon;

Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Bell; Krause; Rinaldi; Sanford; Schaefer; Simpson; Stickland; White, M.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Clardy; Cook; Longoria; Lucio; Muñoz; Smithee; Spitzer; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Alonzo; Davis, S.; Geren; Giddings; Harless; Huberty; Hunter; Johnson; King, K.; Larson; Price; Riddle; Rodriguez, E.

Absent — Deshotel; Dukes; Hughes; Turner, S.; White, J.

#### **STATEMENTS OF VOTE**

When Record No. 516 was taken, I was shown voting no. I intended to vote yes.

Bell

When Record No. 516 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 516 was taken, I was excused to attend a committee meeting. I would have voted yes.

Geren

When Record No. 516 was taken, I was excused to attend a committee meeting. I would have voted yes.

Harless

When Record No. 516 was taken, I was excused to attend a committee meeting. I would have voted yes.

Huberty

When Record No. 516 was taken, I was in the house but away from my desk. I would have voted no.

Hughes

When Record No. 516 was taken, I was excused to attend a committee meeting. I would have voted yes.

E. Rodriguez

(S. Davis and Hunter now present)

**CSHB 2267 ON SECOND READING****(by S. Davis)**

**CSHB 2267**, A bill to be entitled An Act relating to the requirement to obtain a license to practice as an anesthesiologist assistant; providing an administrative penalty; authorizing fees.

**CSHB 2267** was read second time earlier today, an amendment was offered and disposed of, and **CSHB 2267** was postponed until this time.

(Alonzo, Harless, Huberty, K. King, and Price now present)

**CSHB 2267 - POINT OF ORDER**

Representative Rinaldi raised a point of order against further consideration of **CSHB 2267** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the point of order and submitted the following statement:

Representative Rinaldi raised a point of order against further consideration of **CSHB 2267** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis does not accurately reflect the effective date of the bill's provisions. The point of order is respectfully overruled.

Rule 4, Section 32(c)(2) of the House Rules requires a committee report to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill or resolution, specifically including. . .an analysis of the content of the bill or resolution. . . ." **CSHB 2267** would add a chapter consisting of 10 sections to the Occupations Code. The bill also provides that, "Except as provided by Subsection (b). . .this Act takes effect September 1, 2015." Subsection (b) of the effective-date provision identifies three sections of the bill that take effect September 1, 2016. Representative Rinaldi asserts that the bill analysis is misleading because it fails to disclose that the subsection of Section 207.152 of the bill that discusses how a student in an anesthesiologist assistant training program must be identified does not take effect until September 1, 2016. He bases this contention on the facts that (1) this subsection is summarized in part of the only paragraph of the "Analysis" section of the bill analysis that does not mention the 2016 effective date and (2) the "Effective Date" section of the bill analysis does not clarify which specific sections are subject to the 2016 effective date, stating instead: "Except as otherwise provided, September 1, 2015." Determining whether a bill analysis complies with Rule 4, Section 32 of the House Rules requires examining the particular bill and analysis in question and comparing them to the mandates of the rule. See 83 H.J. Reg. 3450-3451 (2013). Having carefully reviewed the bill and the complete analysis, including the side-by-side comparison that highlights Section 207.152's effective date of September 1, 2016, the chair determines that the bill analysis's treatment of the bill's effective dates complies with Rule 4, Section 32(c)(2) of the House Rules.

**CSHB 2267 - POINT OF ORDER**

Representative Schaefer raised a point of order against further consideration of **CSHB 2267**.

The point of order was withdrawn.

Representative S. Davis moved to postpone consideration of **CSHB 2267** until 2:30 p.m. today.

The motion prevailed.

**CSHB 1915 ON SECOND READING  
(by Herrero and Hunter)**

**CSHB 1915**, A bill to be entitled An Act relating to the allocation of state hotel occupancy tax revenue to certain barrier island coastal municipalities.

**CSHB 1915** was read second time earlier today and was postponed until this time.

(E. Rodriguez now present)

**CSHB 1915** was passed to engrossment.

(Geren now present)

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Otto moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Appropriations to consider **SB 574** and **SB 2004** at 8 a.m. Tuesday, May 5 in E1.030.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Appropriations, 8 a.m. Tuesday, May 5, E1.030, for a public hearing, to consider **SB 574**, **SB 2004**, and pending business.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Flynn moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Pensions to consider **HB 2974** at 2 p.m. or upon final adjournment/recess Monday, May 4 in E2.028.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Pensions, 2 p.m. or upon final adjournment/recess Monday, May 4, E2.028, for a public hearing, to consider **HB 2974** and the previously posted agenda.



**FIVE-DAY POSTING RULE SUSPENDED**

Representative Oliveira moved to suspend the five-day posting rule to allow the Committee on Business and Industry to consider **SB 479** at 2 p.m. or upon final adjournment/recess Tuesday, May 5 in E2.016.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Business and Industry, 2 p.m. or upon final adjournment/recess Tuesday, May 5, E2.016, for a public hearing, to consider **SB 479** and pending business.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Zerwas requested permission for the Committee on Higher Education to meet while the house is in session, during bill referral today, in 1W.14, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Higher Education, during bill referral today, 1W.14, for a formal meeting, to consider pending business.

**CSHB 2171 ON SECOND READING**

(by Sheffield, Zerwas, Zedler, R. Miller, Collier, et al.)

**CSHB 2171**, A bill to be entitled An Act relating to information maintained in the immunization registry with the consent of an individual after the individual becomes an adult.

**CSHB 2171** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representative Simpson offered the following amendment to **CSHB 2171**:

Amend **CSHB 2171** (house committee printing) on page 1, line 24, between "time" and the period, by inserting "and must be received from the individual before the information may be released".

**Amendment No. 2**

Representative Simpson offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 to **CSHB 2171** (house committee printing) as follows:

(1) On page 1, line 8, between "(a-6)" and "to" by inserting ", and amending Subsection (a-3), as amended by **SB 219**, Acts of the 84th Legislature, Regular Session, 2015,".

(2) On page 2, between lines 22 and 23, insert the following:

(a-3) The executive commissioner by rule shall develop guidelines and procedures for obtaining consent from an individual after the individual's 18th birthday, including procedures for retaining immunization information in a separate database that is inaccessible by any person other than the department during the eight-year ~~[one-year]~~ period during which an individual who is 18 years of age or older ~~[an 18-year-old]~~ may consent to inclusion in the registry under Subsection (a-2).

(4) On page 4, strike lines 26-27 and renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 2 was adopted.

Representative Sheffield moved to table Amendment No. 1, as amended.

The motion to table was lost by (Record 517): 62 Yeas, 72 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bernal; Blanco; Burkett; Burns; Coleman; Collier; Crownover; Darby; Davis, S.; Davis, Y.; Dukes; Dutton; Farias; Farrar; Geren; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Kacal; King, S.; King, T.; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, R.; Minjarez; Moody; Morrison; Murphy; Nevárez; Otto; Pickett; Raney; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Sheffield; Smith; Stephenson; Thompson, E.; Thompson, S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Button; Capriglione; Craddick; Cyrier; Dale; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Keffer; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Landgraf; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Murr; Naishtat; Oliveira; Paddie; Parker; Paul; Peña; Phelan; Price; Rinaldi; Rodriguez, E.; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Springer; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Clardy; Cook; Longoria; Lucio; Muñoz; Smithee; Spitzer; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Giddings; Johnson; Larson; Riddle.

Absent — Phillips.

Amendment No. 1, as amended, was adopted.

**CSHB 2171**, as amended, was passed to engrossment. (Bell recorded voting no.)

**CSHB 2267 ON SECOND READING****(by S. Davis)**

**CSHB 2267**, A bill to be entitled An Act relating to the requirement to obtain a license to practice as an anesthesiologist assistant; providing an administrative penalty; authorizing fees.

**CSHB 2267** was read second time earlier today, an amendment was offered and disposed of, **CSHB 2267** was postponed until 2:30 p.m. today, and was again postponed until this time.

**CSHB 2267**, as amended, failed to pass to engrossment by (Record 518): 61 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Burns; Coleman; Collier; Crownover; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farrar; Galindo; Geren; Gonzales; Guerra; Guillen; Hernandez; Herrero; Isaac; Israel; Kacal; King, T.; Koop; Márquez; Martinez; McClendon; Meyer; Miles; Miller, R.; Moody; Oliveira; Otto; Phelan; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Stephenson; Villalba; Vo; Walle; White, J.; Wray; Wu; Zerwas.

Nays — Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Capriglione; Craddick; Cyrier; Dale; Darby; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Goldman; Gutierrez; Harless; Howard; Hughes; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Krause; Kuempel; Landgraf; Laubenberg; Leach; Lozano; Martinez Fischer; Metcalf; Minjarez; Murphy; Murr; Naishtat; Nevárez; Paddie; Parker; Paul; Peña; Phillips; Price; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Springer; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; White, M.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Clardy; Cook; Longoria; Lucio; Muñoz; Smithee; Spitzer; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Giddings; Johnson; Larson; Riddle.

Absent — Dukes; González; Huberty; Hunter; Miller, D.; Morrison; Turner, S.

**STATEMENTS OF VOTE**

When Record No. 518 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 518 was taken, I was shown voting no. I intended to vote yes.

Gutierrez

When Record No. 518 was taken, I was shown voting yes. I intended to vote no.

Herrero

When Record No. 518 was taken, I was in the house but away from my desk. I would have voted no.

Huberty

When Record No. 518 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 518 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 518 was taken, I was shown voting no. I intended to vote yes.

Lozano

When Record No. 518 was taken, I was shown voting no. I intended to vote yes.

Peña

When Record No. 518 was taken, I was shown voting yes. I intended to vote no.

Wray

#### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative D. Miller requested permission for the Committee on Special Purpose Districts to meet while the house is in session, during bill referral today, in 1W.14, to consider pending business.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Special Purpose Districts, during bill referral today, 1W.14, for a formal meeting, to consider pending business.

(Riddle now present)

**SB 860 ON SECOND READING**  
**(Oliveira and Villalba - House Sponsors)**

**SB 860**, A bill to be entitled An Act relating to corporations and fundamental business transactions.

**SB 860** was read second time earlier today and was postponed until this time.

**SB 860** was passed to third reading.

**CSHB 2142 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Rinaldi moved to lay **CSHB 2142** on the table subject to call.

The motion prevailed.

**HB 2474 ON SECOND READING**  
**(by Sheffield, Zerwas, R. Miller, Blanco, Simmons, et al.)**

**HB 2474**, A bill to be entitled An Act relating to requirements for and the transparency of epidemiological reports and immunization exemption information and reports.

**HB 2474** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representative Simpson offered the following amendment to **HB 2474**:

Amend **HB 2474** (house committee printing) by striking page 2, line 27, through page 3, line 2, and substituting the following:

guardian a copy of the following information for the campus at which the student is enrolled:

- (1) the immunization rate disaggregated by type of vaccine; and
- (2) the information submitted under Subsection (c), including:
  - (A) de-identified immunization exemption information;
  - (B) the number of students provisionally enrolled pending documentation of immunization;
  - (C) the number of students claiming an exemption for reasons of conscience, including a religious belief;
  - (D) the number of students claiming an exemption for a medical reason; and
  - (E) the number of students whose vaccinations are not current.

Amendment No. 1 was adopted.

**HB 2474**, as amended, was passed to engrossment by (Record 519): 107 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Coleman; Collier; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Fallon; Farias; Farney; Farrar; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; González; Guerra; Guillen; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Landgraf; Laubenberg; Lozano; Márquez; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheets; Sheffield; Simmons; Simpson; Smith; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, R.; Burrows; Elkins; Fletcher; Flynn; Harless; Hughes; Klick; Krause; Leach; Rinaldi; Schaefer; Schofield; Shaheen; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Clardy; Cook; Longoria; Lucio; Muñoz; Smithee; Spitzer; Turner, C.; Workman.

Absent, Excused, Committee Meeting — Giddings; Johnson; Larson.

Absent — Anderson, C.; Bell; Dukes; Faircloth; Gutierrez; Hunter; King, S.; Metcalf; Riddle.

### STATEMENTS OF VOTE

When Record No. 519 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

When Record No. 519 was taken, my vote failed to register. I would have voted no.

Bell

When Record No. 519 was taken, my vote failed to register. I would have voted yes.

Faircloth

When Record No. 519 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 519 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 519 was taken, I was shown voting yes. I intended to vote no.

Laubenberg

When Record No. 519 was taken, I was in the house but away from my desk. I would have voted no.

Metcalf

### **PROVIDING FOR ADJOURNMENT**

At 3:23 p.m., Representative Krause moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 12 p.m. Monday, May 4.

The motion prevailed.

(Kuempel in the chair)

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 3:38 p.m., adjourned until 12 p.m. Monday, May 4.

---

### **ADDENDUM**

---

### **REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**SB 100** to Economic and Small Business Development.  
**SB 133** to Public Education.  
**SB 147** to Criminal Jurisprudence.  
**SB 158** to Select Emerging Issues In Texas Law Enforcement.  
**SB 159** to Public Education.  
**SB 168** to Public Education.  
**SB 188** to Insurance.  
**SB 189** to Insurance.  
**SB 195** to Public Health.  
**SB 217** to State Affairs.  
**SB 273** to Homeland Security and Public Safety.  
**SB 607** to Urban Affairs.  
**SB 667** to Insurance.  
**SB 694** to Public Health.  
**SB 776** to State Affairs.  
**SB 907** to Higher Education.  
**SB 955** to Public Education.  
**SB 1204** to Agriculture and Livestock.  
**SB 1210** to Licensing and Administrative Procedures.  
**SB 1213** to Business and Industry.  
**SB 1214** to Public Health.  
**SB 1228** to Licensing and Administrative Procedures.  
**SB 1235** to Public Health.  
**SB 1237** to Government Transparency and Operation.  
**SB 1296** to State Affairs.  
**SB 1301** to Natural Resources.  
**SB 1308** to Defense and Veterans' Affairs.  
**SB 1313** to Business and Industry.  
**SB 1336** to Natural Resources.  
**SB 1337** to Natural Resources.  
**SB 1364** to Ways and Means.  
**SB 1366** to Appropriations.  
**SB 1368** to Appropriations.



**SB 1369** to Judiciary and Civil Jurisprudence.  
**SB 1385** to Human Services.  
**SB 1394** to Ways and Means.  
**SB 1406** to Juvenile Justice and Family Issues.  
**SB 1407** to Juvenile Justice and Family Issues.  
**SB 1420** to Business and Industry.  
**SB 1459** to Natural Resources.  
**SB 1461** to County Affairs.  
**SB 1462** to Public Health.  
**SB 1465** to State Affairs.  
**SB 1470** to Higher Education.  
**SB 1496** to Human Services.  
**SB 1512** to Transportation.  
**SB 1543** to Higher Education.  
**SB 1547** to Homeland Security and Public Safety.  
**SB 1561** to Transportation.  
**SB 1589** to Energy Resources.  
**SB 1626** to Business and Industry.  
**SB 1630** to Juvenile Justice and Family Issues.  
**SB 1651** to Licensing and Administrative Procedures.  
**SB 1654** to Insurance.  
**SB 1657** to Appropriations.  
**SB 1664** to Human Services.  
**SB 1666** to Public Health.  
**SB 1714** to Higher Education.  
**SB 1725** to Ways and Means.  
**SB 1750** to Higher Education.  
**SB 1753** to Public Health.  
**SB 1776** to Higher Education.  
**SB 1791** to Judiciary and Civil Jurisprudence.  
**SB 1824** to Defense and Veterans' Affairs.  
**SB 1852** to Business and Industry.  
**SB 1864** to Criminal Jurisprudence.  
**SB 1879** to Defense and Veterans' Affairs.

**SB 1881** to Human Services.

**SCR 13** to International Trade and Intergovernmental Affairs.

**SCR 32** to International Trade and Intergovernmental Affairs.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**SB 130** to Criminal Jurisprudence.

### **MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

#### **Message No. 1**

#### **MESSAGE FROM THE SENATE**

#### **SENATE CHAMBER**

Austin, Texas

Friday, May 1, 2015

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

#### **THE SENATE HAS PASSED THE FOLLOWING MEASURES:**

**SB 1628** Taylor, Larry

Relating to insurance claims and certain prohibited acts and practices in or in relation to the business of insurance; amending provisions that are or may be subject to a criminal penalty.

**SB 1760** Creighton

Relating to the transparent and equitable application of ad valorem taxation procedures.

Respectfully,

Patsy Spaw

Secretary of the Senate

---

### **APPENDIX**

---

### **STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 30**

Business and Industry - **HB 2594**

Corrections - **HB 678, HB 1897, HB 2448, HB 3731**  
County Affairs - **HB 2257, HB 2830, HB 3002, HB 3167**  
Criminal Jurisprudence - **HB 1481**  
Culture, Recreation, and Tourism - **HCR 64, HCR 104**  
Defense and Veterans' Affairs - **HB 19, HB 127, HB 1048, HB 1187, HB 1849, SB 169**  
Economic and Small Business Development - **HB 1991**  
Elections - **HB 947, HB 1327, HB 2725, HB 2982, HB 3056, HB 3118, HB 3122, HB 3178, HB 3902, HJR 108**  
Energy Resources - **HB 2392**  
Government Transparency and Operation - **HB 2234, HB 3248, HB 3408, HB 3846, HCR 96**  
Higher Education - **HB 382, HB 1612, HB 1613, HB 1807, HB 2621, HB 3348, HB 3367, HB 3748, HB 3836**  
House Administration - **HB 3628**  
Insurance - **HB 1132, SB 94, SB 655, SB 784**  
Judiciary and Civil Jurisprudence - **HB 1124, HB 1313, HB 1329, HB 1666, HB 1766, HB 2544, HB 3008, HB 3070, HB 3136, HB 3160, HB 3214, HB 3364, HB 3424, HB 3561, HB 3656**  
Juvenile Justice and Family Issues - **HB 1449**  
Land and Resource Management - **HB 1949**  
Natural Resources - **HB 2173, HB 2407, HB 2985, HB 4097, HB 4112**  
Pensions - **HB 3377, HB 3657**  
Public Education - **HB 1431, HB 2014, HB 2025, HB 2186, HB 2220, HB 2449, HB 2487, HB 2609, HB 2610, HB 2660, HB 2677, HB 2811, HB 2847, HB 3700, HB 3991**  
Public Health - **HB 91, HB 179, HB 2055, HB 2752, HB 2950, HB 3048, HB 3105, HB 3366, HB 3433, HB 3475**  
State Affairs - **HB 37, HB 3396**  
Urban Affairs - **HB 2785, HB 2909, HB 3032, HB 3193, HB 3311, HB 3488, HB 3866, HB 3984, HB 4059**

#### ENGROSSED

April 30 - **HB 66, HB 210, HB 331, HB 367, HB 473, HB 509, HB 512, HB 545, HB 583, HB 642, HB 821, HB 825, HB 870, HB 875, HB 923, HB 950, HB 968, HB 995, HB 1052, HB 1111, HB 1140, HB 1190, HB 1212, HB 1248, HB 1273, HB 1282, HB 1289, HB 1293, HB 1307, HB 1421, HB 1422, HB 1428, HB 1464, HB 1466, HB 1500, HB 1584, HB 1605, HB 1640, HB 1661, HB 1709, HB 1736, HB 1786, HB 1819, HB 1832,**

**HB 1841, HB 1879, HB 1924, HB 1929, HB 1953, HB 1963, HB 1996,  
HB 2035, HB 2079, HB 2091, HB 2092, HB 2119, HB 2181, HB 2189,  
HB 2193, HB 2194, HB 2232, HB 2261, HB 2284, HB 2316, HB 2354,  
HB 2519, HB 2536, HB 2547, HB 2583, HB 2599, HB 2629, HB 2680,  
HB 2697, HB 2736, HB 2767, HB 2788, HB 2849, HB 2900, HB 2917,  
HB 2921, HB 3003, HB 3067, HB 3187, HB 3211, HB 3237, HB 3238,  
HB 3244, HB 3485, HB 3555, HB 3562, HB 3629, HB 3668, HB 3680,  
HB 3729, HB 3738, HB 3842, HB 3858, HB 3868, HB 3872, HB 4025,  
HB 4030, HB 4126, HB 4129, HB 4132, HB 4133, HB 4134, HCR 46**